



Good Practice Guidelines for Local Authorities: Housing Refugees

Norris, M., & Keenan, M. (Eds.) (2003). *Good Practice Guidelines for Local Authorities: Housing Refugees*. Housing Agency.

[Link to publication record in Ulster University Research Portal](#)

Publication Status:

Published (in print/issue): 01/01/2003

Document Version

Publisher's PDF, also known as Version of record

General rights

Copyright for the publications made accessible via Ulster University's Research Portal is retained by the author(s) and / or other copyright owners and it is a condition of accessing these publications that users recognise and abide by the legal requirements associated with these rights.

Take down policy

The Research Portal is Ulster University's institutional repository that provides access to Ulster's research outputs. Every effort has been made to ensure that content in the Research Portal does not infringe any person's rights, or applicable UK laws. If you discover content in the Research Portal that you believe breaches copyright or violates any law, please contact pure-support@ulster.ac.uk.

Housing Refugees



GOOD PRACTICE IN HOUSING MANAGEMENT
GUIDELINES FOR LOCAL AUTHORITIES

THE
HOUSING UNIT

GOOD PRACTICE IN HOUSING MANAGEMENT

GUIDELINES FOR LOCAL AUTHORITIES

HOUSING REFUGEES

Produced in conjunction with



The Department of the Environment and Local Government

and

The City and County Managers Association

JULY 2003

First published 2003

© The Housing Unit

An tAonad Tithíochta

57-61 Lansdowne Road

Dublin 4

Ireland

All rights reserved. No part of this publication may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording or any information storage and retrieval system, without permission in writing from the publisher.

ISSN 1649-1289

ISBN 1 903848 05 9

These guidelines are not intended to be a legal interpretation of any existing legislation or regulation or to be a legal instruction in relation to procedure.

The views expressed in this report are those of the author and not necessarily those of the Housing Unit, its Consultative Committee, Board of Management and funding agencies.

Designed by : Butler Claffey Design

Printed by : Glennon Print Specialists

ACKNOWLEDGEMENTS

Author: Mr Joe Moran, Consultant

Editors: Dr Michelle Norris, Director and Dr Michaela Keenan,
Education, Training and Development Specialist,
the Housing Unit

Members of Housing Unit Good Practice Sub Committee:

Ms Rita Flynn, Dún Laoghaire/Rathdown County Council,
Representative of Local Authority Housing Practitioners

Ms Heather Kiely, Representative of Local Authority
Tenants and Residents

Mr William Morton, Representative of Local Authority
Tenants and Residents

Mr Bernard Thompson, National Association
of Building Co-operatives (NABCO)

CONTENTS

	Foreword	6
SECTION ONE	Introduction	9
SECTION TWO	Planning and Strategic Management of Housing Services for Refugees	21
	GOOD PRACTICE RECOMMENDATIONS	
	The Role of Elected Members in Developing a Strategic Approach to Housing Refugees	22
	The Role of Senior Management in Developing a Strategic Approach to Housing Refugees	22
	Training and Information for Elected Members and Senior Management	23
	Housing Application Forms	26
	Information for Voluntary and Co-operative Housing Providers	26
	Housing Needs Assessments and Housing Strategies	26
	Estimating the Current and Future Housing Needs of Refugees to Inform Housing Strategies	27
	Meeting the Distinct Housing Needs of Refugees	27
	Developing an Equal Opportunities Policy for Refugees	31
	Refugee Housing Forum	32
	Poverty Proofing Housing Services	35
	Consultation with Refugee Tenants and Applicants for Housing	36
	BEST PRACTICE SUGGESTIONS	
	Training for Managers and Board Members of Voluntary and Co-operative Housing Providers	23
	Devising a Refugee Housing Strategy	28
	Developing a Multi-Agency Refugee Support Service	34
	Promoting Social Inclusion among Refugees	35

SECTION THREE	Good Practice in Housing Provision for Refugees	39	SECTION FOUR	Racism and Ethnic Monitoring	53
	GOOD PRACTICE RECOMMENDATIONS			GOOD PRACTICE RECOMMENDATIONS	
	Translation of Information for Refugee Applicants for Housing	39		Responding to Racism – Policy Issues	57
	Interpreter Services for Refugee Applicants for Housing	40		Responding to Racism – Procedural Issues	57
	Dissemination of Information	41		Responding to Racism – Training for Elected Members and Staff	58
	Raising Awareness among Staff who Work with Refugees	42		Responding to Racism – Customer Care	58
	Staff Interaction with Refugees	43		Responding to Racism – Personnel Management	59
	Training for Frontline Staff	44		Devising a Strategy on Racist Harassment	60
	Selecting Suitable Locations for Refugee Tenants	46		Preventing Racist Harassment	61
	Pre-Tenancy Support for Refugees	48		Receiving Complaints regarding Racist Harassment	62
	Early-Tenancy Support for Refugees	49		Investigating Allegations of Racist Harassment	63
	Post-Tenancy Support for Refugees	49		Appropriate Responses to Racist Harassment	63
	Allocating Dwellings to Refugees	51		Recording and Monitoring Racist Harassment	64
	Promoting the Integration of Refugee Tenants into New Estates	51		Ethnic Record Keeping	65
	Promoting the Integration of Refugee Tenants into Existing Estates	52		Ethnic Monitoring	66
	BEST PRACTICE SUGGESTIONS			BEST PRACTICE RECOMMENDATIONS	
	Disseminating Information through Refugee Support Organisations	42		Preventing Racist Harassment	61
	Training for Staff of Voluntary and Co-operative Housing Providers	44		Evaluation of Refugee Housing Policies, Strategies and Procedures	67
	Support for Refugee Tenants	49			
	Consultation with Local Communities Regarding Refugee Housing	51	APPENDIX	Legislation, Publications and Useful Addresses	69

FOREWORD

Over the past two decades the task of managing local authority housing has become more challenging from a range of perspectives. Although living standards in Ireland have generally improved over this period, the level of dependence on social welfare benefits among local authority tenants has remained stubbornly high and significant problems of anti-social behaviour have developed on some estates. Tenants of local authority estates have also begun to demand a greater say in the management of the areas in which they live and like most modern consumers have developed higher expectations about the standards of service which they should receive from their local authority. At the same time, management practices within the public sector have changed dramatically, and Department of the Environment and Local Government statements of policy on housing have repeatedly exhorted local authorities to reform their traditional practices so that they can meet the new challenges of public housing management and keep in step with this wider reform process.

The establishment of the Housing Management Group in 1996 and the publication of its two reports in 1996 and 1998 marked a watershed in the development of local authority housing management practice in Ireland. These reports sketch out the broad framework that this reform process should follow. In the First Report, the Housing Management Group makes a series of recommendations in relation to housing management systems, tenancy matters, repairs and maintenance, lettings, rents and tenant participation – all of which are intended to help local authorities achieve good practice in housing management. On the basis of the recommendations of its Second Report, the Housing Unit was established in order to continue and develop the work commenced by the Housing Management Group in identifying good practice in housing management.

The development of good practice guidelines on a range of aspects of housing management is a central step in this process. These guidelines build on the reform framework which is outlined in the Housing Management Group reports, by providing more in-depth guidance on the steps that local authorities should implement in order

to achieve good practice in the various aspects of their housing management function. Furthermore, the guidelines also suggest a wide range of actions which, depending on their individual circumstances and resources, local authorities may strive to implement in order to achieve best practice in housing management.

These guidelines are intended to be a practical working tool for local authority housing managers and, with this in mind, the guidelines have been laid out in a user-friendly style, drawing on practical examples of reforms that have been put in place in different authorities around the country, and they provide checklists of the different stages that should be followed in implementing good practice. In the development of these guidelines, every effort has also been made to strike a balance between being overly general and overly prescriptive. Each local authority must decide on its own approach, having regard to the size and type of housing stock, the level of housing policy development, and the changing nature of the local housing environment. Some aspects of the guidelines will only apply to the larger housing authorities, with complex staffing structures; other parts are more relevant to rural authorities with a more dispersed stock of dwellings. However, it is hoped that all public housing practitioners will find in them some relevant suggestions which they can utilise in their own local authority.

These guidelines draw on an extensive process of consultation with local authority housing practitioners across the country. This consultation was carried out by the Housing Unit staff and through the medium of the five Regional Housing Practitioner Networks which were established in 1998 in order to facilitate the exchange of ideas on good practice among local authority housing staff.

Michelle Norris
Director
The Housing Unit

OTHER PUBLICATIONS FROM THE HOUSING UNIT

Good Practice Guidelines

Brennan, B. (2000)

*Good Practice in Housing Management: Guidelines for Local Authorities –
Repair and Maintenance of Dwellings*

Dublin, The Housing Unit

Clarke, J. and Norris M. (2001)

*Good Practice in Housing Management: Guidelines for Local Authorities –
Rent Assessment, Collection, Accounting and Arrears Control*

Dublin, The Housing Unit

Norris, M. (2001)

*Good Practice in Housing Management: Guidelines for Local Authorities –
Managing Voids: Co-ordinating the Monitoring, Repair and Allocation of Vacant Dwellings*

Dublin, The Housing Unit

Norris, M. (ed) (2001)

*Good Practice in Housing Management: Guidelines for Local Authorities –
Managing in Partnership: Enabling Tenant Participation in Housing Management*

Dublin, The Housing Unit

HOUSING RESEARCH SERIES

Brooke, S. and Norris, M. (2002)

The Housing Management Initiatives Grants Scheme: An Evaluation

Dublin, The Housing Unit

Murray, K. and Norris, M. (2002)

*Profile of Households Accommodated by Dublin City Council:
Analysis of Socio-Demographic, Income and Spatial Patterns*

Dublin, The Housing Unit

SECTION ONE

In recent years the numbers of asylum seekers and refugees entering the country has increased and the government policy of dispersal has resulted in many of the local authority administrative areas in the state having asylum seekers and refugees living within their boundaries. Housing refugees is thus a new challenge for many local authorities and these guidelines are intended to help them meet this challenge. For local authorities that do not have significant numbers of refugees living in their operational areas, these guidelines may be of limited relevance to their activities at the moment. However, it is likely that they will become relevant in the near future.

Ireland has a responsibility under international agreements and domestic legislation to provide for refugees and to ensure that the health, education, welfare and housing needs of refugees in this country are met in the same manner as those of nationals. For local authorities this means that most refugees are permitted to avail of housing services in the same way as nationals who are in housing need. However, to ensure that refugees have equal access to services, local authorities can no longer rely on their traditional forms of service delivery. New ways must be found to ensure that those who come from different cultural backgrounds receive the best service that a local authority can provide.

In their country of origin, most refugees would have provided for their own housing needs just as they would have provided for their other needs. The majority, however, find themselves in different circumstances in Ireland, dependent on the state to meet a range of basic needs. In terms of housing, they are heavily reliant on local authorities, the primary providers of social housing in Ireland. The response of the local authorities to this housing need is therefore very significant because housing and how it is provided impacts on the integration of refugees into Irish society. It is in this context that these Good Practice Guidelines are written. Although the title of these guidelines and the content of each of the sections refer specifically to refugees, many of the ideas offered here are applicable to all minority ethnic groups.

This introductory Section sets the context for the later chapters by outlining national policy on refugees and describing the recent history of refugees in Ireland. It highlights the aims and objectives of good practice in housing refugees and emphasises its importance.

INTRODUCTION

1.1

TERMINOLOGY AND DEFINITIONS

In order to understand the housing obligations of local authorities in relation to refugees, an appreciation of the different legal statuses of this population is required. The terms asylum seeker, refugee, programme refugee and person given leave to remain, all have different meaning and significance.

- ◆ An *asylum seeker* is a person who enters the state and seeks to be recognised as a refugee. Whilst the person's application is being considered by the state he or she is called an asylum seeker.
- ◆ A *refugee* is a person who has gone through the asylum process and has been granted refugee status by the state. Such a person may also be referred to as a convention refugees, a term established by the 1951 United Nations Convention Relating to the Status of Refugees.
- ◆ A programme refugee is a person who has been invited into the state in response to a humanitarian request by the United Nations High Commissioner for Refugees, for either a period of temporary protection, with a view to

his or her returning home again or alternatively, to settle in the country, depending on the terms of the relevant government decision.

- ◆ A person given leave to remain is someone who has been through the asylum process (including, but not necessarily, the appeals process) and is judged not to have grounds for being granted refugee status, or has withdrawn his or her application for asylum, but on humanitarian or other grounds is allowed to remain in the state. For instance, the parents of Irish-born children may be permitted to remain in Ireland on these grounds. The Minister for Justice, Equality and Law Reform makes this decision.

1.2 HOUSING RIGHTS OF REFUGEES AND ASYLUM SEEKERS

Persons in all these categories are legally entitled to be in the country. The state therefore has certain obligations to them, which includes the provision of accommodation and housing. The development of Ireland's policy on and provision for refugees has been influenced by domestic and international laws, administrative practices and other considerations. From the perspective of those who work in the local authority housing service the most significant aspects of national policy on refugees are as follows:

- ◆ Asylum seekers are provided with accommodation by the state in accommodation centres which are dispersed throughout the country. Asylum seekers are required to remain in accommodation centres until their application for asylum has been decided upon. However, in practice their length of stay in a centre depends upon a range of factors. In some areas of the country community welfare officers assist people to move out into private rented accommodation after an agreed period of time. Furthermore, if an individual is pregnant or ill, or if the accommodation is thought to be unsuitable for whatever reason, the community welfare officer may agree to provide Supplementary Welfare Assistance rent allowance to enable that individual or family to move into private rented accommodation where such is available.
- ◆ At the time of writing, asylum seekers were not entitled to apply to local authorities for housing, as they were not judged to have a long-term housing need. This is because asylum seekers are in the process of having their claim for refugee status heard and that claim may be turned down, thus requiring them to leave the country.

- ◆ Refugees and those given leave to remain in the country may seek housing from local authorities on the same basis as Irish nationals.
- ◆ Depending on the terms of the government decision to invite them into the country, programme refugees may or may not have the right to local authority housing. For instance the Kosovars who came to Ireland under a temporary protection programme in 1999 were allowed to avail of all services on the same basis as Irish nationals but they could not apply for local authority housing. This policy was changed after two years when the Kosovars who were still here were given leave to remain in the country. Previous programme refugees, such as the Vietnamese and the Bosnians, were allowed to seek local authority housing from the time of their arrival in Ireland. Currently all programme refugees in the state are entitled to seek local authority housing on the same basis as Irish nationals.

Throughout these Guidelines the term refugee is used to refer to those persons who can avail of local authority housing on the same basis as Irish nationals. These groups include: convention refugees, programme refugees, and persons given leave to remain. Where the Guidelines refer to a specific group within the refugee population then the unambiguous term is used.

1.3 CONTEXT

In order to gain an understanding of the needs of refugee tenants and applicants for housing it is necessary to consider the recent history of asylum seeker movements into the state, the numbers involved and the practical measures taken by government in response.

Before the 1990s no more than a handful of asylum seekers entered Ireland annually. The only numbers of any substance that came into the state were programme refugees, invited in by the government. Ireland first invited programme refugees to Ireland in 1957 when 534 Hungarians came to the country. This was followed by 120 Chileans in 1973; 212 Vietnamese in 1979; 26 Iranian Baha'is in 1986, the Bosnians from 1993 and the Kosovars in 1999.

Data from the Department of Justice, Equality and Law Reform indicate that the number of asylum seekers coming into the country increased significantly during the 1990s, reaching over 10,000 per annum by the year 2000. Between 1994 and March 2002, 41,994 people claimed asylum. Of these, 2,984 or 7 per cent were granted refugee

status. Up to the end of 2001, 280 people were given leave to remain on humanitarian grounds, and 539 were permitted to remain because they married Irish or European Economic Area citizens. A further 4,874 people were granted permission to remain in the country as the parents of Irish-born children. Therefore, of the 41,994 who sought asylum in this country over the past decade, approximately 8,677 are legally allowed to continue living in the state and, as such, are entitled to housing and other services from local authorities on the same basis as nationals.

In mid-1998 the scarcity of accommodation for asylum seekers became an issue in the Dublin area and accommodation began to be sourced outside the Capital. The accommodation provided outside Dublin was mainly in hostels and other medium-sized centres. Initially, only single people were sent to these centres and they were not required to remain in the centre to which they were allocated if they were able to find accommodation in the private rented sector.

The first government-led dispersal programme took place with the arrival of the Kosovar refugees in May 1999. The 1,032 people who came from refugee camps in Macedonia were dispersed to ten reception centres around the southern half of the country, to areas such as Cork, Kerry, Kildare, Waterford and Wicklow. The dispersal and direct provision programme for asylum seekers was subsequently introduced in April 2000. From this time, all asylum seekers were obliged to move to the centres to which they were dispersed. In these centres they receive full board accommodation and a small weekly cash payment.

By the time refugee families or individuals apply for local authority housing they will have spent a period of time in direct provision accommodation. By the time they are successful in their application for local authority housing it is probable that they will have spent time living in private rented accommodation. They will probably have experienced a number of difficulties and frustrations along this path. It is important, therefore, that their contact with the providers of public housing is a positive one. Although it is unlikely that their housing needs will be immediately met, nevertheless they should be given information about the housing system and be made aware of how the process works and what to expect from it. Having appropriate accommodation is the most important first step for their long-term settlement and integration in Ireland. Without adequate accommodation, which offers personal safety, security of tenure, and at a rent they can afford, refugees find it very difficult to begin the next phase of their lives in this country.

1.4 **ACHIEVING GOOD PRACTICE IN HOUSING REFUGEES: ISSUES FOR CONSIDERATION**

Where local authorities already achieve high standards in the delivery of their housing services, the inclusion of refugees in their tenant population should occur with relative ease. Undoubtedly there are challenges to be overcome, but if approached as part of an ethos of excellence in service provision, achieving good practice in the housing of refugees is not beyond the capabilities of any local authority.

In developing good practice in housing refugees local authorities should take into account the following national policy issues which have implications for this area of work:

- ◆ The relevant elements of the Strategic Management Initiative (SMI), such as providing an excellent service to the public, ensuring the efficient use of resources, maximising the contribution of public bodies to social and economic development, and delivering quality services to customers and clients. The SMI also identifies the establishment of systems of performance monitoring as the key to achieving good practice in public sector management, and in the area of refugee housing this is critical to ensuring that quality and appropriate services are provided for refugees
- ◆ The provisions of the Refugee Act, 1996 as amended, which is the primary piece of legislation referring to refugees, including their entitlements to services.

Recent developments which have impacted on the entire local authority housing service also have implications for the housing of refugees. These include the following:

- ◆ The programme for the reform of the management of local authorities, particularly the establishment of Strategic Policy Committees (SPCs), to develop policy on each of the main functional areas within all local authorities. In most cases this process has included the establishment of a Strategic Policy Committee that focuses on the housing area and is supported by a Director of Housing. These committees should ensure that the housing of refugees is taken into account in relevant housing policy statements and decisions
- ◆ The move towards tenant participation in housing management as part of an initiative to localise housing management structures. Tenant participation in the housing of refugees includes two elements: firstly, working with existing tenants

to help them understand and accept changes in the ethnic make-up of their estates, and secondly, assisting refugee tenants to participate in their local estates and housing forums

- ◆ The recent expansion of the remit of the National Anti-Poverty Strategy (NAPS) to include local authorities. Under the terms of the NAPS, public organisations are required to 'poverty proof' their services. These organisations must ensure that they do not create or perpetuate inequality and that they contribute to achieving a fairer distribution of resources and opportunities. In *Building an Inclusive Society*, the 2001 review of the NAPS, housing is identified as a key anti-poverty measure and strategic targets are identified for state policy in this area. This document also identifies migrants and ethnic minorities as groups that are vulnerable to poverty and commits government to tackling barriers to their integration in Irish society, in particular by combating racism and related discrimination
- ◆ The provisions of the Equal Status Act, 2000. This Act outlaws discrimination in a range of areas including the provision of accommodation. Discrimination is described in the Act as the treatment of a person 'less favourably than another person is, has been or would be treated'. In the Act nine distinct grounds for discrimination are identified. These are: gender, marital status, family status, age, disability, race, sexual orientation, religious belief, and membership of the Traveller Community. Under the terms of the Act discrimination on the ground of race includes race, colour, nationality or ethnic or national origins. In order to prevent discrimination all public sector agencies should review their policies and services to avoid any unanticipated negative impact on any of the groups protected under the Equal Status Act. This process is termed 'equality proofing'. In addition the 2000 Act states that those responsible for the operation of any service – including local authorities as providers of accommodation facilities to the public – shall not permit a person who has a right to avail of the facilities to suffer harassment.

Finally, in devising programmes of good practice, local authority housing practitioners should also take account of the following issues, which are particularly relevant to the task of housing refugees:

- ◆ Before anyone can avail of the housing service he or she must be aware of and have information about that service. There is a need to provide information in a language and format that can be understood by refugees and to ensure that this information is made readily available to those who are eligible to apply for local authority housing.
- ◆ The local authority's commitment to the development of a service that is sensitive to the needs of refugees and others members of minority ethnic groups should be made known in relevant public documentation, such as corporate plans and strategy statements.
- ◆ In addition refugees and all ethnic groups should be made aware of the content of such plans and strategies. It is particularly important that these groups are informed of the relevant local authority's Customer Action Plan. The national partnership agreement *The Programme for Prosperity and Fairness* provided for the development of these plans to ensure that the public is aware of what the local authority wants to achieve with regard to improving customer service and how it plans to achieve it. To ensure that refugees are made aware of relevant information, these plans must be made available in a format that is readily understood.
- ◆ The development and implementation of ethnic record keeping, monitoring and evaluation systems are also necessary to measure the progress that has been achieved in enabling refugees to avail of the housing service. This requires the development of appropriate management information systems.
- ◆ In addition, local authorities should also put in place procedures for consulting with individual refugees and refugee representative organisations in order to ensure the effectiveness and accountability of services.
- ◆ In their statutory assessment of housing need local authorities are now required to include data on the number of households on their waiting lists who are non-nationals from outside the EU. This includes people with refugee status, those given leave to remain in the state or those on work permits.
- ◆ The housing strategies required by the Planning and Development Act, 2000 should take account of the needs of refugees and other ethnic groups.

- ◆ Housing refugees is a new area of work for local authorities in this country and it is imperative that the staff who deal with refugees and others from culturally different communities have an understanding of the needs of these communities and the difficulties they experience in having their needs met. Staff who are unfamiliar with working with refugees and other culturally different groups should receive appropriate training.
- ◆ Many refugees are reluctant to give information to strangers, especially government officials, and this may hinder their claim for housing.
- ◆ English may not be the first language of refugee tenants and applicants for housing, and even where it is the first language, misunderstandings may arise due to lack of familiarity with vernacular terminology or cultural differences. Such differences should be taken into account in providing a service for refugees and cultural awareness should be promoted among staff.
- ◆ For many refugees housing is not their only problem. They may have additional concerns about family back in their country of origin; they may be experiencing racist harassment; or they may be in debt. Staff should be made aware of the fact that, because of these concerns, individuals may appear at times to be disinterested or pre-occupied, or distressed, but that this behaviour may be completely unrelated to their housing application.
- ◆ The decision to locate a refugee family in a particular location or estate should be given careful consideration as residents of an estate or local area may object to the housing of a refugee family. Local authorities should have plans to deal with such situations if they occur.
- ◆ Local authorities should consider how refugee households can be integrated into the local community. They should work with the family and with local organisations and agencies so that the family can get to know and become part of the community.
- ◆ Refugees may suffer from racist harassment, and local authorities should be prepared to respond to cases of harassment when they arise.

- ◆ Working with other housing providers, such as voluntary and co-operative housing providers and statutory and voluntary organisations, to develop a local partnership response to refugee housing and support can be an effective means of meeting the needs of refugees.
- ◆ Appointing a senior staff member to develop expertise in the area of refugees, who can then provide advice and guidance for other colleagues and act as a point of contact, is also a useful method of developing services.
- ◆ The provision of housing for refugees must take account of the diversity of refugee families, which are often different in size and structure from the Irish population. This will have implications for dwelling size and design.
- ◆ It cannot be assumed that because people are refugees they have anything in common with one another, apart from the fact that they happen to be refugees. Africans and East Europeans are very different in many respects, and even between African nations as well as within nations there may be ethnic, religious, language and cultural differences. These differences should be borne in mind when devising and providing services for refugees.

All of the above points will be discussed and elaborated upon in greater detail in the later sections of these guidelines.

1.5 AIMS AND OBJECTIVES OF GOOD PRACTICE IN HOUSING REFUGEES

The primary purpose of these guidelines is to assist local authorities in responding to the new challenge of housing refugees. Refugees are probably the first immigrant communities for whom most local authorities in this country have had to provide housing services. These guidelines are intended to help local authorities to develop strategies and practices for housing refugees, which will achieve the following objectives:

- ◆ Achieve value for money for all expenditure on the service
- ◆ Achieve high standards of service which are sensitive to the specific needs of refugees
- ◆ Develop a strategic housing management policy for refugees which implements all aspects of the refugee housing policy and ensures that it is implemented and managed effectively

- ◆ Provide good quality accommodation in locations that are safe and supportive of refugees
- ◆ Assist the integration of refugees into local communities and promote the acceptance of refugees who live on local authority estates among existing tenants
- ◆ Provide refugees with every opportunity to access the full spectrum of local authority housing services
- ◆ Take account of the diverse needs of refugees on the grounds of gender, family status and race
- ◆ Ensure equality of outcomes for refugees in the provision of local authority housing
- ◆ Facilitate and encourage the involvement of refugee community organisations in the consultation regarding the development of local housing policies
- ◆ Establish a procedure to deal with racist incidents on local authority estates
- ◆ Maximise co-operation between local authorities and other organisations and agencies in order to develop a comprehensive local response to the needs of refugees.

1.6 **ACHIEVING GOOD PRACTICE IN REFUGEE HOUSING**

These guidelines offer basic assistance in the management of housing for refugees. Local authorities will, in time, develop their own standards of good practice in housing refugees, based on their growing experience in this area. Nonetheless, what is offered in the guidelines is a comprehensive base on which good practices can be developed. The level of sophistication required of these practices depends on the numbers of refugees in a local authority area, the size of the housing department and the stock of dwellings. The rule of thumb should always be to develop the best service possible for all who use that service within the resources available.

These guidelines on housing refugees are set out in the sections that follow:

- ◆ Section Two outlines the planning and strategic management issues pertinent to housing refugees. The housing needs of refugees and the many problems they are confronted with before and after they are housed are discussed. This section also considers the wider issues that impact on the lives of refugee tenants and applicants for housing, many of which are not part of the experiences of other tenants and clients of the local authority housing service.
- ◆ Section Three examines how the local authority's strategy for housing refugees can be implemented in practice. It makes recommendations regarding the various services that need to be provided in order to fully respond to the housing needs of refugees.
- ◆ Section Four focuses on the issue of racism. It defines racism, examines how racism impacts on the refugee, and also highlights appropriate responses by local authorities to cases of racist discrimination and harassment. Finally, this section suggests strategies for monitoring and evaluating the service offered to refugees by local authorities.

Although the title of these guidelines and the content of each of these sections refer specifically to refugees, many of the ideas offered here are applicable to all minority ethnic groups. In particular Section Four examines the issue of racism in general, not just in relation to the refugee community.

The subject of these guidelines is new to many readers and a substantial amount of contextual information is required. Therefore, each section includes a detailed discussion of issues relevant to housing refugees, followed by recommendations for good practice. These 'Good Practice Recommendations' identify a base-line level of service that all local authorities should achieve in order to provide a satisfactory level of service to the customer. Furthermore, the guidelines also include a number of 'Best Practice Suggestions', intended to provide ideas on reforms that local authority housing practitioners may wish to implement in order to achieve excellence in housing refugees.

An appendix at the end of the document includes details of legislation relevant to housing refugees, as well as contact addresses of organisations that work in this area. Details of the publications consulted in the preparation of the guidelines are also provided. These publications are a useful starting point for readers who wish to research the issue of housing refugees in more depth.

SECTION TWO

There is no significant historical dimension to achieving good practice in the housing of refugees in Ireland because this issue has only arisen in recent years. It is therefore an area ripe for exploration, for imagination and for creativity. If approached in this manner it will also introduce new ways of thinking to housing provision for other minority ethnic groups.

In any area of service provision, good practice is achieved through the commitment of the whole organisation. In the case of local authorities this commitment should permeate all sectors of the organisation – elected members, senior management of the city or county, senior management of the housing department and staff in all departments whose work brings them directly or indirectly into contact with members of the refugee community.

In response to the need for an innovative approach some local authorities have already begun to introduce new elements to their work, such as the provision of information in other languages, training of staff, and working in local partnerships. All of these developments add to the knowledge base required to make an informed judgement on what does and doesn't work in the provision of housing for refugees.

This section of the guidelines examines aspects of the planning and strategic management of refugee housing and proposes elements of good practice, some of which may already have been considered by local authorities.

PLANNING AND STRATEGIC MANAGEMENT OF HOUSING SERVICES FOR REFUGEES

2.1 A STRATEGIC APPROACH

A strategic approach to housing refugees should inform all local authority housing policy. This issue should be properly thought out at a strategic level and included in the local authority's strategic and operational plans. Successful development and implementation of these plans will require the support of all levels of the organisation, including elected members, managers and staff.

Political support for housing refugees is very important, because the frustrations of local communities are often directed at elected members. The elected members should have an understanding of the local authority's obligations to refugees and how best these obligations can be met. Senior management shares responsibility with elected members to ensure that the best policies and practices in housing are devised and implemented. High quality management of housing services for refugees within a framework that is sensitive and responsive to their distinct needs should be a central aim of local authority managers.

Appropriate training and information should be provided, in order to enable elected members and senior management devise a strategic approach to housing refugees.

Good Practice Recommendation No. 1:**The Role of Elected Members in Developing a Strategic Approach to Housing Refugees**

- ◆ Elected members should lead the development of the local authority's strategic approach to housing refugees by:
 - informing themselves of cultural and ethnic issues relevant to housing provision
 - informing themselves of the needs and rights of refugees with respect to social housing
 - ensuring that relevant local authority policy statements include a commitment that all applicants for housing will be treated equally in the allocation of tenancies and a commitment to supporting an inclusive community for the benefit of all
 - ensuring that where resources permit, every effort will be made to facilitate the integration of refugees into the local community.

Good Practice Recommendation No. 2:**The Role of Senior Management in Developing a Strategic Approach to Housing Refugees**

- ◆ To ensure high quality service delivery it is recommended that local authority senior management staff:
 - commit themselves to providing an inclusive and non-discriminatory housing service to refugees
 - ensure that the housing needs of refugees are considered in all strategic and operational plans for housing and related services
 - become aware of refugees' cultural, ethnic and race differences
 - become knowledgeable of refugees, their needs, the issues that affect them, and the most appropriate service responses
 - develop and implement non-discriminatory practices in the provision of services based on a written equal opportunities policy
 - ensure that refugee and refugee support organisations are consulted regarding the development of relevant policy statements and services
 - ensure that relevant training is provided for all staff who have contact with refugees either directly or indirectly
 - regularly monitor and evaluate policies and services that relate to refugees.

Good Practice Recommendation No. 3:

Training and Information for Elected Members and Senior Management

- ◆ Appropriate training should be provided to enable elected members and senior management to devise a strategic approach to housing refugees.
- ◆ This training should address the following issues:
 - the different categories of refugees and asylum seekers
 - the history of Irish refugee policy
 - numbers of asylum seekers and refugees in the state
 - relevant legislation – national and international
 - rights of refugees to housing and other services
 - an awareness of the cultures of minority ethnic groups
 - how needs of refugees differ from those of the rest of the population
 - responses to refugee housing needs
 - racist discrimination and harassment and how to respond to it
 - the practical skills necessary to address these issues in their work.

Best Practice Suggestion No. 1:

Training for Managers and Board Members of Voluntary and Co-operative Housing Providers

- ◆ In order to achieve best practice in this aspect of housing management, local authorities should consider including managers and board members of the voluntary and co-operative housing associations active in the local area in training programmes for the authority's elected members and senior staff on housing refugees. This would help to create a level of common knowledge and skills within all housing providers locally.

2.2 HOUSING STRATEGIES AND HOUSING NEED ASSESSMENTS

The obligation to produce housing strategies and housing need assessments provides local authority housing practitioners with a regular opportunity to examine their overall approach to meeting local housing needs and ensure that they take into account the housing needs of refugees. Housing refugees is a new development for Irish local authorities and the full extent of refugee housing needs will only become clear in the long term as definite trends emerge of the numbers and types of people seeking asylum in Ireland.

In the future it is likely that local authorities will face a growth in the number of people from a refugee background seeking housing assistance. The reason for this is that most refugees cannot provide for their housing from their own means. Even longer established refugee communities, such as the Vietnamese and Bosnians, live predominantly in the private rented and social housing sectors. Members of these refugee communities, as of others, have experienced economic success and some individuals have been able to afford to purchase their own homes. However, these households are in the minority and most families require housing assistance.

Employment prospects are critical to the ability of refugees to provide housing for themselves. Refugees face barriers to gaining employment that most Irish nationals do not, e.g. language and cultural issues. In time it is likely that this situation will change, but even if it does, there is ample evidence from other countries to suggest that immigrants in general will struggle to do as well economically as the majority population. Therefore, it is likely that there will be a residual need long into the future for social housing for refugees and other immigrants too, especially in locations such as Dublin where house prices are high.

In such circumstances local authorities face a long-term housing challenge. It is therefore important that they pay particular attention to the housing needs of refugees at this early stage. They should strategically plan for the complex demands this challenge brings with it, and make every effort to avoid the serious problems encountered in other countries in meeting the housing needs of their diverse communities.

However, planning for refugee housing provision is not an easy task. There are a number of reasons for this:

- ◆ it is not possible to forecast accurately the number of people who will seek asylum each year
- ◆ it is not possible to forecast accurately how many of these asylum seekers will obtain refugee status or the right to remain in the state
- ◆ once granted refugee status individuals and families may move as they please within the state, so no one knows the exact numbers of refugees in the different parts of the country
- ◆ patterns of movement among refugees are difficult to predict, but the available information indicates that there appears to be some movement to locations where they can find accommodation.

These difficulties are significant but they are not insurmountable – if housing practitioners are willing to go beyond the types of data traditionally used to assess social housing needs, and access other sources of information that will provide a better idea of the extent of refugee housing needs.

However, on its own, information on the numbers of refugees is insufficient for planning of housing provision. Further information is also required on: their ethnic backgrounds, gender, disability, age, nationalities, household size, household composition, as well as the possibility that the household will grow as a result of reunification with other family members.

This information is required because the size and structure of refugee households is often different from that of the general population. In comparison to a move towards smaller families amongst the wider Irish population, refugee families tend to be larger and often include extended family members. Finding suitable accommodation for larger families may pose difficulties. Furthermore, there are also design implications as refugee families are culturally different from Irish families.

Information of this type should therefore be sought on application forms for housing. However, in order to fully understand the distinct housing needs of refugees and other minority ethnic groups, consultation with refugee tenants and refugee applicants is also required.

Good Practice Recommendation No 4:

Housing Application Forms

- ◆ Forms for those seeking local authority housing should require all applicants for housing, including refugees, to provide the following information:
 - gender
 - disability
 - age
 - ethnic background
 - nationality
 - language(s) spoken and written and level of competency in these languages
 - household size
 - household composition
 - the possibility that households will grow as a result of reunification with other family members.

Good Practice Recommendation No 5:

Information for Voluntary and Co-operative Housing Providers

- ◆ If refugees are being referred or nominated for housing by a voluntary or co-operative housing provider, local authorities should ensure that this organisation is provided with all information necessary to assess their housing and support needs.

Good Practice Recommendation No 6:

Housing Needs Assessments and Housing Strategies

- ◆ Local authorities should ensure that refugees and other immigrant populations are taken into account in their tri-annual assessments of social housing need and in the development and implementation of housing strategies.
- ◆ For the purposes of the assessment of housing need, local authorities are required to collate data on the number of refugees and applicants with leave to remain in the country on their waiting list. The obvious time to collect this information is when an application for housing is made.

Good Practice Recommendation No 7:**Estimating the Current and Future Housing Needs of Refugees to Inform Housing Strategies**

- ◆ In order to estimate the housing needs of refugees, for the purposes of devising housing strategies, housing practitioners should utilise the following sources of information:
 - national trends of asylum seekers entering the state over a number of years
 - national trends of numbers given refugee status and leave to remain during the same period
 - numbers of asylum seekers being accommodated locally in direct provision
 - number of refugees receiving Supplementary Welfare Allowance rent assistance locally
 - level of movement of refugees receiving rent assistance in and out of the local authority's operational area
 - number of refugee households on the local authority waiting list
 - size and structure of refugee households on the local authority waiting list.
- ◆ The first three pieces of information can be obtained from the Reception and Integration Agency, the fourth and fifth types of information are collated by local community welfare officers, while the last two types of data can be accessed by local authorities from their own records. These individual sources of information may not be completely accurate but, taken together, they will be sufficient to allow local authorities to plan with reasonable confidence for refugee housing provision.

Good Practice Recommendation No 8:**Meeting the Distinct Housing Needs of Refugees**

- ◆ Housing strategies and other housing service plans should be predicated on the assumption that the housing needs of refugees are distinct from those of Irish households and that the housing needs of different refugee communities also vary. Procedures for policy implementation should reflect these differences.

Best Practice Suggestion No. 2:

Devising a Refugee
Housing Strategy

- ◆ In order to achieve best practice in managing this area of the housing service, local authorities may wish to consider devising a strategy to deal specifically with meeting the housing needs of refugees.
- ◆ There are a number of potential benefits associated with developing a strategy of this type:
 - it will help to ensure that the local authority responds to the housing needs of refugees in a strategic and coherent way
 - it provides clarity to the local authority, other service providers, refugees and the wider community in relation to what it seeks to achieve in its commitment to refugees
 - it demonstrates to refugees the local authority's commitment to responding to their needs by setting out objectives and performance targets that can be monitored so as to measure progress
 - the process of compiling the strategy will aid learning and capacity building for staff, refugees and partner organisations
 - it provides a framework for tackling social exclusion and disadvantage on the grounds of 'race'.

2.3 EQUALITY IN HOUSING PROVISION

Under the Equal Status Act, 2000 local authorities are legally obliged not to discriminate in the provision of accommodation. Discrimination is described in the Act as the treatment of a person in a less favourable way than another person is, has been or would be treated. Nine distinct grounds for discrimination are identified in the Act, and they include race, which encompasses: race, colour, nationality, and ethnic or national origins.

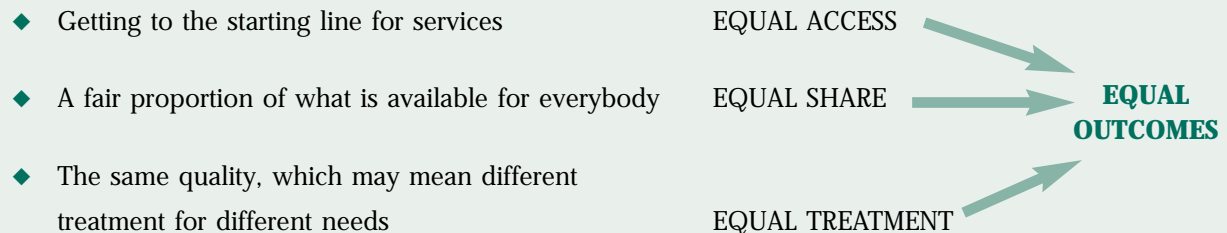
The Act prohibits both direct and indirect discrimination in the provision of services. Direct discrimination is straightforward and occurs when, for example, a local authority refuses to accept a housing application from someone who is black. Hence direct discrimination is open and overt. Indirect discrimination is more subtle – it occurs when individuals are ostensibly treated neutrally but in practice different groups experience different outcomes in terms of access to services. For example, if a local authority was to impose a residency requirement whereby to avail or become eligible for housing an individual must have been living in the local area for say, a minimum

of three years, this policy would discriminate against refugees because they may not have lived in the country for three years and would fail to meet the eligibility criteria.

In order to achieve equality in housing provision, local authorities must develop and implement equal opportunity strategies, with clear, well-defined practical objectives. The aim of these equal opportunities strategies should be to achieve equal outcomes for all client groups in terms of quality of housing.

Finlay and Reynolds (1987) argue that achieving equal opportunity in practice involves three levels of intervention: equal access, equal share and equal treatment. These are set out in the diagram below.

Levels of intervention necessary to achieve equal opportunity



Source: adapted from Finlay and Reynolds, 1987, p. 48

In addition, if refugees are to benefit from an equal opportunities policy, that policy must clearly identify them as a target group. In order to aid the design of equal opportunities policies that include refugees, housing practitioners should take account of the issues for consideration which are set out in the following page.

Including Refugees in Equal Opportunities Policies

Issues for Consideration

EQUAL ACCESS

Finlay and Reynolds (1987) point out that refugees are not at the same starting line for services as the rest of the population. They face a number of barriers that others do not:

- ◆ they may not know about available services
- ◆ they may be fearful of and distrust the state and government officials
- ◆ they may have problems expressing themselves through English
- ◆ they may be waiting for the identification papers required to access a service
- ◆ they may feel the attitude of service providers is unhelpful because they are different
- ◆ they do not want to be seen to be dependent on services.

EQUAL SHARE

The idea of equal share ostensibly appears to be a fair approach to meeting the needs of groups such as refugees. Proportionality sounds like it is a good idea, but does it really mean an equal share of a service? For example, if it is decided that people from different countries of origin should be allocated a share of dwellings which is proportionate to the number of them living in the area, but the numbers from each of the countries is so small that no one gets allocated a dwelling in practice, this is not an equal share.

The use of an equal share policy is a positive move in devising an equal opportunities policy. However, such a policy also has the potential to restrict access rather than improve it and therefore must be carefully implemented and monitored.

EQUAL TREATMENT

Equal treatment does not necessarily mean the same treatment. Needs vary and therefore should be addressed in different ways. Adopting the approach that 'we treat everyone the same in this local authority' will not address the types of needs that are different from the norm. For example, refugees have the same access to information about housing services as everyone else, but if leaflets are only provided in English and the refugee does not read this language, in practice he or she has not been treated equally.

To provide equal treatment for refugees and other groups in addressing their housing need the response by the local authority must be based on their individual needs, and not on a notion of egalitarianism, which may even further disadvantage these groups.

EQUAL OUTCOME

The ultimate objective of measures to achieve equal access, equal share and equal treatment is to achieve equal outcome in terms of quality of service outcome. The objective is to have a real improvement in the circumstances of refugees, and some way of measuring this also needs to be put in place. The measurement of improvement should be part of the housing strategy, as needs may differ from area to area depending on a variety of factors at local level. The assessment of social housing need will inform the local authorities of the profile of the local refugee community, and this in turn will enable it to plan an effective response to their needs.

As well as having an equal opportunity to avail of services, refugees and members of minority ethnic groups should also have an equal opportunity to employment in local authorities. Therefore an equal opportunities policy should also address employment.

Good Practice Recommendation No 9:

Developing an Equal Opportunities Policy for Refugees

- ◆ Local authorities should devise an equal opportunities policy for their service provision, with the aims of affording refugees equal access to housing services, an equal share of available resources, equal treatment in the allocation of resources (which may in practice require different treatment for different groups) and the ultimate objective of achieving equal outcome for refugee tenants and applicants for housing.
- ◆ Local authorities that already have an equal opportunities policy in place should revise it to incorporate these aims and objectives in relation to housing for refugees.
- ◆ This policy should be monitored and reviewed regularly.
- ◆ To ensure that the objectives of this policy are achieved in practice, all staff should be made aware of the content of the policy as well as of the requirements of the Equal Status Act, 2000.
- ◆ Relevant procedures should be examined in order to ensure that there is no discrimination, direct or indirect, in the provision of housing or of any other service by the local authority.

2.4 PARTNERSHIP WITH OTHER ORGANISATIONS

Throughout the country, a number of groups and organisations have been established to provide supports for refugees and asylum seekers. The smaller groups of this type tend to offer informal support networks, while formally structured organisations also exist which provide support services to refugees and asylum seekers. These groups and organisations can provide useful advice and guidance to local authorities on the housing needs of refugees locally and on good practice in the provision of services for this community.

Given the relatively small numbers of refugees in the country and their dispersed geographical distribution, it does not make economic or organisational sense for each individual agency to establish comprehensive services for what may be a few people. It would be more prudent to share resources at local level or with neighbouring local authorities and health boards. This co-operation could help to share the burden of the costs of providing translation services, information materials and refugee community development and support.

Good Practice Recommendation No 10:

Refugee Housing Forum

- ◆ Local authorities should consult regularly with local organisations that have a direct interest in refugee housing regarding the provision of housing services for refugees. Other organisations that are less centrally involved in this area should be consulted when the need and opportunity arises.
- ◆ There are many different ways of working and consulting with the housing partner organisations. However, for purposes of efficiency and effectiveness it is easiest to hold a single regular meeting with all of these groups – this could be called a refugee housing forum.
- ◆ The following partner organisations could be included in this forum. Each of the partner organisations has its own knowledge and expertise to offer to the local authority in achieving good practice in housing refugees:
 - The Reception and Integration Agency, which operates under the auspices of the Department of Justice, Equality and Law Reform, is responsible for the reception of asylum seekers and the integration of refugees, and as such would have knowledge of national policy as well as of the numbers and trends of people who move through the local accommodation centres

- Refugee led organisations will provide an important source of knowledge and experience of the impact of housing issues on the local refugee community
 - Local refugee support organisations or groups would also provide some information on the housing needs and experiences of refugees, but in addition to this they may also be able to offer practical support to refugees who have problems with information on housing or in accessing housing
 - Local community development groups may also have experience of working with refugees
 - The voluntary and co-operative housing associations which provide general needs housing or refugee specific housing can work with the local authority in developing practical housing responses to refugee housing need
 - The local health board already works with the local authority in areas such as homelessness, the provision of rent allowance, and the provision of non-housing resources to specialist voluntary housing associations. In addition, health board community welfare officers provide direct support to all asylum seekers in its administrative area and to refugees who require income support and rent allowance
 - Tenants groups can be a very important source of support for refugees, and can ease the way of refugees into estates. Their views on housing matters are therefore essential in a partnership framework.
- ◆ As well as developing a working relationship with organisations and groups who have an interest in refugee housing, the refugee housing forum will enable the partner organisations to share knowledge and experience and co-ordinate relevant strategies. In this way the refugee housing forum will help to inform policy development within the partner organisations and promote a common and consistent practice across a range of services.

Best Practice Suggestion No. 3:
Developing a Multi-Agency
Refugee Support Service

- ◆ Local authorities that have large refugee communities living in their operational areas may wish to use the refugee housing forum as a basis on which to develop a multi-agency support service for refugees.
- ◆ Whilst it may not be possible for one organisation on its own to provide a comprehensive support service for refugees, a service of this type can be put in place by working together with others.
- ◆ It is less costly and more efficient for a number of organisations to each provide an element of refugee support service and to refer clients to other agencies for specific types of support as appropriate, rather than each attempting to provide a comprehensive service on its own.
- ◆ In addition members could identify necessary support services which are not currently being provided and jointly fund the development of these services, for instance by means of grant aid to a refugee support organisation.

2.5 SOCIAL EXCLUSION AND POVERTY

Local authority tenants in this country have very high levels of income poverty compared with households living in other types of accommodation. However, refugee tenants and applicants for housing are even more likely to be poor than other tenants.

There are a number of reasons why this is the case:

- ◆ As mentioned in the introduction to these guidelines most asylum seekers in this country currently live in accommodation provided directly by the government. The income received by those living in direct provision was €19.05 per week per adult in 2002. Consequently it is difficult for these households to save money to pay for the costs of moving out into alternative accommodation.
- ◆ Relatively little training or education is available for adult asylum seekers unless they pay for it from their own resources. Asylum seekers are also not allowed to take paid employment. This means that these individuals often have difficulty accessing paid employment once granted refugee status or leave to remain in the country.
- ◆ Although refugees are entitled to claim social welfare payments and to seek paid employment, they often face financial burdens that are not generally encountered by the Irish population. Many refugees send money to their

relatives in their country of origin or in other countries. Many are also faced with repaying debts owed to those who helped them leave their home countries.

- ◆ In most other EU countries with larger and longer established refugee and immigrant communities, members of ethnic minorities have high rates of unemployment and tend to work in the lowest paid jobs. This is because of:
 - a lack of the local language or of a level of local language that is acceptable to employers
 - a lack of recognition of qualifications gained in their country of origin
 - cultural barriers
 - discrimination and racism
 - difficulty in accessing employment that provides an adequate income.

Good Practice Recommendation No 11:

Poverty Proofing Housing Services

- ◆ For many refugees accessing a local authority dwelling is the first step towards moving out of poverty, as they have a secure home and an affordable income-related rent.
- ◆ In addition, local authorities should poverty proof all of their housing services such as rent collection and maintenance to ensure that they do not create or perpetuate inequality and that they contribute to achieving a fairer distribution of resources and opportunities. In doing so they should pay particular attention to the distinct needs of refugees.
- ◆ The aim of all strategies of this type should be to integrate refugees into the mainstream as early as possible, but to supplement this with additional supports in order to address their specific needs.

Best Practice Suggestion No. 4: Promoting Social Inclusion among Refugees

- ◆ Housing is only one of the measures necessary to address poverty. There is also a need for employment, education, and training initiatives, all of which lead to economic independence. Although many of these services are not in the remit of local authorities, those authorities that house particularly large numbers of refugee households may wish to allocate responsibility to the Social Inclusion Unit or community department for ensuring that these services are made available to refugees by liaising with relevant organisations and informing them of the needs of the refugee clients of the local authority.

2.6 CONSULTATION WITH REFUGEES

In order to effectively provide any service the needs of the target group must be identified. This cannot be done without direct consultation with the target group. Refugees obviously have the greatest knowledge of their own personal needs. Consultation will allow them to inform the local authority of these needs and therefore prevent the introduction of inappropriate or inoperable policies and practices.

The consultative process also has a number of other benefits for both refugees and the local authority. These include:

- ◆ empowering the refugee community by actively involving them in designing responses to their own needs
- ◆ building the capacity of the refugee community to interact with other communities and state agencies
- ◆ improving morale and spirit among the refugee community
- ◆ developing trust and rapport between the local authority and the refugee community.

To understand the needs of refugee tenants and applicants for housing, the local authority should establish mechanisms for regular and ongoing consultation with them, and all local housing policy and housing management developments relevant to refugees should be informed by this consultation. The options for consulting with refugees include: surveys, establishment of representative groups, focus groups and public meetings. The particular option chosen will depend on the specific needs of the group that the local authority plans to consult and how comprehensively the authority plans to consult them. If the consultation process is intended to gather the opinions of the broadest spectrum of the refugee community, it may be necessary to utilise a number of methods of consultation.

Good Practice Recommendation No 12:

Consultation with Refugee Tenants and Applicants for Housing

- ◆ Local authorities should establish mechanisms for consulting refugee tenants and applicants for housing regarding housing provision for this community and on relevant developments in local housing policy and housing management practice.

- ◆ Local authorities should try to involve all of the different refugee groups that live locally in this consultation; this includes refugees from different ethnic backgrounds, age groups and genders.
- ◆ In order to aid the design and implementation of these mechanisms, housing practitioners should consult the checklist of issues that are set out below.

Consulting with Refugee Tenants and Applicants for Housing ***Checklist of Issues for Consideration***

SURVEYS

- ◆ Postal surveys are unlikely to be an effective methods of consulting refugees because they are prone to poor response rates due to language barriers, or a lack of understanding of what a survey is, or lack of trust in government officials ✓
- ◆ Surveys that are filled out in a one-to-one meeting with refugees can be useful for obtaining important information which would not otherwise be acquired ✓
- ◆ However, if interpreters are required, surveys can be a time-consuming method of consulting with refugees ✓
- ◆ Refugees may also be suspicious of interviewers who are not known to them and may not participate fully or honestly; it takes time to build up trust; and gaining access to anyone but the head of household may prove difficult ✓

REPRESENTATIVE GROUPS

- ◆ Representative groups, such as a local refugee group, are an important source for consultation, as they tend to be knowledgeable about the needs of their communities ✓
- ◆ However, they may not be representative of the community and thus further exploration and contacts are needed to ensure that a complete and accurate picture is obtained ✓
- ◆ Meetings with representative groups should alternate between the local authority's offices and the refugee organisation's office (if it has one) or another appropriate venue. This will demonstrate that housing practitioners regard the group as an equal partner ✓

FOCUS GROUPS

- ◆ Due to their interactive nature, focus groups are also a useful method of consultation ✓
- ◆ However, it can be difficult to ensure that participants are fully representative of the refugee community ✓
- ◆ Language may be a barrier to effective participation in focus groups ✓
- ◆ Participants must have trust in the focus group facilitator and he or she must be skilled in working with groups and have knowledge of the cultural background of participants in order to ensure a successful outcome ✓
- ◆ Conducting the focus group in a neutral venue outside of the local authority's offices can encourage participants to be open and honest in their opinions ✓

PUBLIC MEETINGS

- ◆ Public meetings are probably the most difficult method of consulting with refugees ✓
- ◆ Unless refugees have an obvious benefit in attending, turn-out at the meeting is likely to be low ✓
- ◆ Distributing flyers and using posters may not be enough to attract refugees to a public meeting. Personal contact is needed to ensure attendance ✓

OTHER CONSIDERATIONS

- ◆ For cultural reasons some women may be unwilling to deal with a male local authority official or to participate in meetings with men present; therefore women's only meetings may be required ✓
- ◆ Within many households the head of the household normally speaks on behalf of the family, and in most cases this is a man ✓
- ◆ It may be necessary to organise childcare so that people can attend meetings ✓
- ◆ Try to involve refugees of all ages ✓
- ◆ It may also be necessary to have interpreters available
- ◆ If possible meetings should not be held in a venue that serves alcohol ✓
- ◆ Ensure that disabled refugees can access the building
- ◆ A number of people may never have had the experience of attending a meeting or of having anyone ask their views. This may be a completely new experience for them and they may require support to contribute to the discussion. Meetings should be conducted in a way that encourages participation by all ✓

SECTION THREE

Section Two examined the planning and strategic management of housing services for refugees. In this section the focus is on housing provision for refugees and how good practice can be achieved in this area.

There is a range of factors that influence the housing experience of refugees. These include matters that pre-date their arrival here, as well as new services and experiences encountered for the first time when they seek housing in this country. Several of the factors that influence the refugee housing experience fall within the remit of the local authorities. These include providing information about services, providing housing support, enabling acceptance of refugee tenants by local communities, helping refugees to integrate into their new communities and consulting with refugees in planning housing services.

GOOD PRACTICE IN HOUSING PROVISION FOR REFUGEES

3.1 **INFORMATION FOR REFUGEE APPLICANTS FOR HOUSING**

A first principle of effective service provision is that the users, or potential users, are aware of and informed about the service being provided. Information for service users must be provided in a language they can understand. Leaflets and posters in English, no matter how simple and well designed, are of little use to non-English readers. Information must be made available in a user-friendly form and disseminated in locations that are convenient for the service users and commonly frequented by them.

Some refugees are illiterate in their own language. The provision of information in written form, no matter how accessible, is of no benefit to those who cannot read or write. If there is a language barrier and the local authority staff member does not understand the refugee it is important to have policies and strategies in place to deal with this. Interpreter facilities should be available to staff to assist them with their work so that they can provide a good quality service to refugees and applicants for housing who do not speak English.

Good Practice Recommendation No 13:

Translation of Information for Refugee Applicants for Housing

- ◆ Local authorities should ensure that the following documents are made available in languages other than English to enable refugees access services:
 - relevant local authority policy statements, particularly its Customer Action Plan

- information about the housing system and how it works – including information on accessing private rented and owner occupied housing as well as local authority and voluntary and co-operative housing
 - all relevant forms, including application forms for housing
 - information about how the local authority decides on housing allocations, the points system, waiting lists, the scheme of letting priorities, and the number of housing units planned over the period of the authority's housing strategy
 - pre-tenancy information and training
 - the tenancy agreement
 - the tenants handbook.
- ◆ Given the diversity of refugee communities spread throughout the country and their relatively small numbers it may not be possible to provide all this information in all of the languages spoken by refugee applicants for housing. However, the inclusion of a section in the application form for housing which enquires about the languages spoken by applicants for housing will enable housing practitioners to identify the languages most commonly spoken. As a minimum, relevant documentation should be made available in these languages.
- ◆ In addition, several adjacent local authorities could share the cost of translating any common information provided to applicants for housing.
- ◆ Housing practitioners should also bear in mind that if the original information in English is simple and user-friendly then it is easier to translate into other languages.

Good Practice Recommendation No 14:**Interpreter Services for Refugee Applicants for Housing**

- ◆ Housing practitioners should ensure that interpreters are provided for refugee applicants for housing if required.
- ◆ There are a number of translation agencies from which interpreter services can be bought. These services can provide written translations, phone translations or one-to-one translations. The local authority can also use the 'translate or explain on request' approach for certain information. This means that a general

explanation is given in another language on the written document with an invitation to contact the agency for a full translation if required.

- ◆ The use of refugees to translate for other refugees is an option frequently used by refugee support organisations, and this method can be effective. However, such an approach should be used with care. In parts of the country with small numbers of refugees, people are often known to each other and some individuals may not wish to have someone they know personally translate for them. In addition, translation is a skilled task and it is not sufficient to assume that because an individual speaks several languages, he or she can translate information accurately.
- ◆ The children of refugee tenants and applicants for housing should only be used to translate for their parents as a last resort when no other method of translation is available, because they may not be able to translate accurately and the information they are required to translate may be of a personal, sensitive or distressing nature.
- ◆ If refugees are being referred or nominated for housing by a voluntary or co-operative housing provider, local authorities should ensure that this organisation is informed if translation services will be necessary.

Good Practice Recommendation No 15:

Dissemination of Information

- ◆ Local authorities should ensure that information on housing services is effectively disseminated to refugees. In order to do this they should take account of issues such as: Where do refugees go for information? Where do they meet?
- ◆ Most refugees attend a community welfare officer for rent supplement, so this office can be an effective site for disseminating information. Refugees use support organisations set up to assist them, and if there is a local church or mosque they are likely to attend, these too should be given information.
- ◆ It is never enough to give out information once. It should be replenished on a regular basis and feedback should be sought on its usefulness.

Best Practice Suggestion No. 5:
Disseminating Information
through Refugee Support
Organisations

- ◆ Local authorities that have large refugee communities living in their operational areas may wish to consider providing financial help to a local refugee support organisation. As part of that relationship, information on housing would be stocked by the support group, who would explain it to whoever requires verbal clarification.

3.2 INFORMATION AND TRAINING FOR STAFF

When refugees call to a local authority office to make an application for housing they bring with them life experiences that usually remain untold and, as the typical personal history of refugees which is provided below illustrates, are often very different from that of Irish applicants for housing. To gain an insight into the needs of refugees and their approach to dealing with the local authority it is necessary for housing practitioners to have some understanding of their personal histories.

The initial contact between refugees and the local authority is particularly important because it sets the tone of the relationship thereafter, and many refugees are mistrustful of government officials because of negative experiences in their country of origin or indeed in this country. Their treatment by frontline staff may inspire confidence and trust in the service, or conversely a negative experience may mean that the refugee does not use the service again no matter how bad his or her housing circumstances.

A commitment in relevant local authority statements to provide quality services to all clients, including refugees and other members of minority ethnic groups, is the first step in ensuring that the interaction between refugees and housing service staff is positive. However, in addition, all staff who have direct contact with refugees should be made aware of this commitment and be adequately trained to ensure that they have the skills to deal with this new element of their work.

Good Practice Recommendation No 16:

Raising Awareness among Staff who Work with Refugees

- ◆ Housing practitioners should ensure that staff who meet refugees in their work have an insight into the experience of being a refugee and of the cultural background of the main refugee communities in the area, by inviting refugees or members of refugee support organisations to visit the local authority and talk to relevant staff about relevant issues. This insight should help understanding and in turn facilitate the provision of a better service.

Good Practice Recommendation No 17:**Staff Interaction with Refugees**

- ◆ Housing practitioners should be positive, helpful and respectful in their interactions with refugees. They should be well informed about the local authority's housing service and be open and honest in sharing this information.

Typical Personal History of Refugee Applicants for Housing

Before refugees leave their native country they have, by definition, suffered persecution. Forced departure from one's homeland because of race, religious beliefs or political beliefs, is very different from leaving voluntarily to go abroad to seek a better life. There is usually little time to plan, to prepare emotionally for what lies ahead. Left behind are family members who may not be seen again for some years if at all. The experience before departure, the clandestine nature of the journey, the guilt and other emotions, often leave scars that last longer than the persecution suffered in the first instance. This may be followed by long periods of time spent in refugee camps waiting and enduring the hand-to-mouth existence that can demoralise many.

For those who do not spend time in refugee camps, but manage to flee to a country like Ireland, the journey may be fraught with dangers. It is costly and often brings with it a level of indebtedness that takes many years to overcome. On arrival in Ireland individuals may not be allowed to make that claim for asylum; they may be sent back to their own or to another country. If allowed to make the claim for asylum, there will be months of uncertainty as the claim is processed. During that time asylum seekers will live in an accommodation centre sharing facilities with others, having their basic needs met but with little to do and little spending money.

By the time they arrive at the office of a local authority to fill in their application form for housing many months, if not years, may have passed since they fled their home in their country of origin. But their journey has still not ended as they seek private rented accommodation, which can result in people travelling around the country to look for somewhere to live. Even if they manage to get somewhere to live in the locality in which they were accommodated during their period of asylum, the refugees often spend months sourcing that accommodation, due to scarcity added to by discriminating landlords/landladies and letting agencies. It is not unusual for that accommodation to be of a poor quality, necessitating them to move again.

This may not be the personal history of all refugees, but it is the experience of many. Some may have been lucky and may have gone through a minimum of these problems; others have experienced worse.

Good Practice Recommendation No 18:**Training for Frontline Staff**

- ◆ Appropriate training on refugee issues should be provided for housing department frontline staff who are likely to meet refugees in the course of their work. This includes: receptionists and counter staff in local authorities, housing department staff, estate management and tenant participation staff, social work and housing welfare staff, revenue collectors and housing maintenance staff.
- ◆ This training should incorporate both the background information on the rights of refugees and the characteristics of refugees in Ireland which Section One of these guidelines recommended for inclusion in training for management staff and elected members of local authorities, and more in-dept information on interaction with clients from diverse cultural backgrounds.
- ◆ In order to aid the design of training programmes for frontline staff who work with refugees, a checklist of the topics appropriate for inclusion in training of this type is set out on the following page.

Best Practice Suggestion No. 6:

Training for Staff of
Voluntary and Co-operative
Housing Providers

- ◆ In order to achieve best practice in this aspect of housing management, local authorities should consider including managers and board members of the voluntary and co-operative housing associations active in the local area in training programmes for the authority's frontline staff on housing refugees. This would help to create a level of common knowledge and skills within all housing providers locally.

3.3 SELECTING SUITABLE LOCATIONS FOR REFUGEE TENANTS

It is the stated aim of government policy on the dispersal of asylum seekers around the country to try and cluster people with similar cultural or ethnic backgrounds in the same location. For a number of reasons, this does not always happen in practice. However, clustering holds benefits for both refugees, public service providers and the wider society:

- ◆ For refugees, clustering provides support within their communities and has positive spin-off effects – the community can organise its own cultural events and establish businesses, it can provide support in difficult circumstances, and it prevents isolation.
- ◆ For public service providers, clustering is more cost effective as services such as education are more easily provided for a cluster group than for a diverse range of people with different cultures, religions and languages.

Training for Frontline Staff who Work with Refugees ***Checklist of Topics***

- ◆ Introduction to working with refugees including:
 - the different levels of legal status granted to refugees and asylum seekers ✓
 - the history of Irish refugee policy ✓
 - numbers of asylum seekers and refugees in the state ✓
 - relevant legislation – national and international ✓
 - rights of refugees to housing and other services ✓
 - an awareness of the cultures of different minority ethnic groups ✓
 - how needs of refugees differ from the rest of the population ✓
 - responses to refugee housing needs ✓
 - racist discrimination and harassment and how to respond to it ✓
 - the diverse needs of refugees from ethnic backgrounds and of different genders and age groups ✓
- ◆ Details of the local authority's policy statements and procedures that make reference to or have implications for refugees
- ◆ Discussion of the implications of these policy statements and procedures for the day-to-day work of housing-department staff
- ◆ The implementation of many housing services involves an element of discretion on the part of staff. For instance decisions regarding the adequacy of dwellings occupied by applicants for local authority housing will be influenced by the personal views of officials on what constitutes adequate accommodation. In order to ensure that this discretion does not result in discrimination against refugees or other minority ethnic clients, racism awareness training should be provided for all frontline staff in housing departments.
- ◆ Frontline staff also require a greater understanding and practical knowledge of how to work directly with refugees. This can be done through a training course on working with minority ethnic groups. The training could include:
 - cultural awareness ✓
 - communication skills ✓
 - strategies for working with minority ethnic client groups. ✓
- ◆ In addition during this training it should also be stressed that the local authority will not tolerate any form of racist discrimination or harassment. The potential for racist discrimination and harassment between members of the local authority staff, between staff and tenants and between tenants should be examined. Staff should be assured that the local authority will treat all allegations of racist harassment seriously and adopt a victim-centred response. Details of what a victim-centred response involves should also be clearly explained to them.

- ◆ The wider community can also benefit from the expressions of cultural difference which clustering can facilitate.

Consequently the potential for clustering should be taken into account when selecting suitable locations for refugee tenants.

On the other hand the experience of other EU member states indicates that despite the introduction of dispersal programmes refugees tend to drift towards larger urban areas. This happens for a number of reasons:

- ◆ for safety reasons, if they feel isolated or have experienced racism
- ◆ to seek social and cultural outlets with people from the same national background
- ◆ for work, educational, housing and/or other opportunities.

In addition, the experience of these other countries highlights the problems that the concentration of people from minority ethnic backgrounds into specific locations can bring. Furthermore, the limited amount of research on housing and refugees indicates that refugees themselves do not want to live in racially segregated areas. They have expressed the wish to live in clustered groups, not in large numbers side-by-side. Therefore the need to avoid ethnic and racial segregation is also a key consideration in the selection of suitable locations for refugee tenants.

The preferences of refugees themselves should, of course, also inform the selection of suitable locations for them to live, as should personal safety concerns and the need to ensure that the family will integrate well into the local community.

Good Practice Recommendation No 19:

Selecting Suitable Locations for Refugee Tenants

- ◆ Housing practitioners should take account of the following issues in selecting suitable locations for refugee applicants for housing:
 - the potential for clustering of households with similar ethnic and cultural backgrounds
 - the need to avoid ethnic and racial segregation
 - the preferences of refugee applicants for housing.

- ◆ In addition they should take account of the need to integrate the refugee household into the wider community. They should consider issues such as the following: Are there supportive tenants living in the community? Will the refugee tenants feel too isolated? Does the local authority have support mechanisms in place in that locality to help them settle into an estate?
- ◆ Housing practitioners should also consider the possibility that refugees may be the targets of racist harassment. In order to decrease the possibility of such incidents, where possible refugee households should be dispersed throughout an estate unless they are part of an extended family or are particularly vulnerable and need to have other families from a similar ethnic background close at hand. If possible local authorities should not house refugee families in estates where nuisance and anti-social behaviour is common, because this may expose the family to a high risk of experiencing harassment.

3.4 PROVIDING SUPPORT TO REFUGEE TENANTS

Once refugees have been allocated a suitable dwelling, they may require assistance to enable them to move and settle into their new home and to maintain their tenancy, in addition to the types of support local authorities generally provide to Irish tenants. Even if refugees have lived in a particular town or city for a period of time it cannot be assumed that they are fully knowledgeable of the area and what it has to offer. Nor can it be assumed that they know about the many elements involved in moving into a local authority dwelling in this country. Moving into a social housing scheme is likely to be a completely new experience for refugees and may be very daunting for them. Time spent at this early stage in making sure that the new refugee family understands all of the elements in taking up a local authority tenancy saves further time and problems later.

Therefore arrangements should be made to provide additional support to refugees during the following stages of their move into their new home:

- ◆ *pre-tenancy* – from the time the potential tenants are offered a tenancy until the tenancy commences
- ◆ *early-tenancy* – from the time a family takes up residence and for the following six months
- ◆ *post-tenancy* – from six months after the commencement of the tenancy until eighteen months following the commencement of the tenancy. The period of social support for some families who are particularly vulnerable could continue

for a longer period, but such would be the exception rather than the rule. During these stages of support, information should be provided in a language the tenant understands and interpreters should be called upon when necessary. Some aspects of this support can be provided by means of a shared service with other organisations. However, the support service is more effective if it is co-ordinated by a designated official who can build a relationship with the refugee household.

Good Practice Recommendation No 20:

Pre-Tenancy Support for Refugees

- ◆ During the pre-tenancy stage housing practitioners should engage the following supports for refugees:
 - provide information about the locality and its facilities including: schools, doctor's surgery, shops, the post office, the local social welfare and community welfare office, the local health centre and crèches etc
 - explain how to access these facilities, e.g. what new forms must be filled in and how to connect to services such as gas and electricity. Provide help with filling out forms if necessary
 - ensure refugee tenants understand the importance of attendance at pre-tenancy courses
 - introduce refugee tenants to other tenants and explain the membership and function of the tenants association and of estate officers and tenant liaison staff if relevant
 - go through tenancy agreement, even with those individuals who can communicate effectively in English, and ensure it is fully understood
 - ensure that the refugees understand their rent obligations, their rent level, how it is determined, how and when it should be paid and how to set up an appropriate payment method
 - ensure that the tenants understand how the maintenance service operates and are clear about their rights and responsibilities in relation to maintenance
 - give the refugee family the opportunity to visit the house in advance of moving in
 - provide a letter for the community welfare officer if the refugee is a social welfare claimant
 - explain what financial support refugees may seek from the community welfare officer for moving to a new property or put them in touch with other sources of financial support such as refugee support or charitable agencies.

Good Practice Recommendation No 21:

Early-Tenancy Support for Refugees

- ◆ During the early-tenancy stage housing practitioners should engage the following supports for refugees:
 - assist in resolving teething difficulties that arise on moving into a new house
 - where necessary advocate on behalf of the refugee tenant with other agencies
 - if necessary explain points that may not be fully understood in the tenancy agreement and tenant handbook
 - help the refugee tenant get to know what is happening on the estate
 - if necessary explain again to the tenant what his or her responsibility is in relation to the house and what is the local authority's responsibility
 - if the household has moved into a new property, liaise with the builder to ensure all snagging work is completed.

Good Practice Recommendation No 22:

Post-Tenancy Support for Refugees

- ◆ During the post-tenancy stage housing practitioners should engage the following supports for refugees:
 - provide support by making sure that the tenant is fully aware of services locally that might be of interest or help, such as English classes, crèches and youth groups
 - make refugee families aware of and assist them in becoming involved with the tenants or residents committee if they so wish
 - make sure that if individuals or families encounter any problems, such as harassment, they know they have someone to turn to for assistance
 - put families in touch with agencies and individuals who will provide support so that family members, in particular mothers, do not become isolated.

Best Practice Suggestion No. 7:
 Support for Refugee Tenants

- ◆ If resources allow, a single official should be designated to provide and/or co-ordinate the provision of all three stages of support to refugee tenants. This will enable him or her to build a relationship with the members of the household.

3.5 **PROMOTING THE INTEGRATION OF REFUGEES INTO THEIR NEW COMMUNITIES**

Local communities have become much more powerful and vocal in recent years. This has had a profound effect on the *modus operandi* of both central and local government. It is important that local authorities consult local communities regarding new housing developments and ensure that the views of existing local authority tenants are taken into account in decisions regarding housing provision, local housing policy development and housing management. On the other hand, local authorities have a legal obligation to provide housing for those who cannot provide for themselves – including refugees. The Equal Status Act, 2000 also obliges them to ensure that no applicant for housing is discriminated against on the grounds of race. On occasions, however, the housing of refugees may lead to conflict between the authority and the local community.

Controversy in relation to the housing of refugees may arise for a number of reasons:

- ◆ fear generated from a lack of understanding of cultural difference or of why refugees have come to Ireland
- ◆ racist attitudes held by some
- ◆ a perception that the local authority does not carry out its housing management functions such as the allocation of dwellings in a transparent manner
- ◆ lack of knowledge about refugees
- ◆ lack of preparation of the local community.

Such conflicts are often painful experiences for all involved and at worst can mitigate against the integration of refugee households into their new communities. Therefore they should be avoided whenever possible and dealt with very carefully when they do arise to ensure that no long-term bad feeling is created. In order to achieve this, local authorities should keep local communities and tenants associations informed of any planning in relation to new housing estates and of developments in housing policy, including those that relate to refugees.

In addition, they should put in place measures to promote the integration of refugee tenants into their new communities. Pre-tenancy courses can be particularly useful in this regard. These meetings help the refugee and Irish tenants to meet, begin to break down barriers, and ease any anxieties. They also help tenants understand both their own and the local authority's obligations, as all of the issues around the tenancy are discussed in detail.

Good Practice Recommendation No 23:

Allocating Dwellings to Refugees

- ◆ Housing small numbers of refugee households or individuals in incremental stages over a period of time is less likely to inspire widespread objections by local communities. If practicable, housing practitioners should aim to progressively allocate dwellings to a small number of refugees over a long period rather than allow a build-up of large numbers of applicants from this background on the waiting list who may need to be allocated dwellings within a short time-span.

Best Practice Suggestion No. 8:

Consultation with Local Communities Regarding Refugee Housing

- ◆ In order to achieve best practice in this area of housing management, local authorities may wish to consider consulting with local communities and relevant associations of their own tenants when planning new estates that will house refugees. As part of this consultation housing practitioners could inform local communities of the size and general make-up of the new estate, and seek feedback on the implications this will have for the wider community.
- ◆ During consultation of this type local communities should be informed of the local authority's legal obligations to allocate housing on the basis of need and not to discriminate against applicants on the grounds of race. They should also be informed of the content of local authority policy statements which deal with refugees such as its equal opportunities statement. This may not ameliorate all of the concerns of the local community but it will ensure that they are clear about the basis for the local authority's actions.

Good Practice Recommendation No 24:

Promoting the Integration of Refugee Tenants into New Estates

- ◆ Housing practitioners should utilise the following measures to promote the integration of refugees into new estates:
 - if possible do not house refugee families in estates where nuisance and anti-social behaviour is common because this may expose the family to a high risk of experiencing harassment
 - if possible choose supportive neighbours to live beside the refugee families
 - at pre-tenancy meetings introduce the refugee families

- at pre-tenancy meetings use inclusive language and encourage refugee households to participate in the discussion and interact with their new neighbours
- as part of the pre-tenancy course inform all tenants of the local authority's policy on equal opportunities and on harassment, including racist harassment, and explain what action will be taken if discrimination or harassment occurs
- make sure that a local authority official visits refugee families in their new homes and that this official provides a contact number in case of an emergency
- if a tenants or residents organisation is established for the estate, encourage refugee families to participate in organised activities
- link refugee families into local community support organisations.

Good Practice Recommendation No 25:

Promoting the Integration of Refugee Tenants into Existing Estates

- ◆ Housing practitioners should utilise the following measures to promote the integration of refugees into existing estates:
 - where possible choose supportive neighbours to live beside the refugee families
 - inform immediate neighbours about the refugee families who are moving in
 - introduce refugee families to their neighbours
 - introduce refugee families to people who may act as a support on the estate
 - if local youth or sports clubs exist, encourage refugee families to allow their children to attend
 - ensure that refugee families are visited by a local authority official in their new home and that this official provides a contact number in case of an emergency
 - introduce refugee families to the community Garda
 - link refugee families into local community support organisations
 - if racist harassment does arise take immediate action to support refugee families.

SECTION FOUR

Tackling racism is a test of an organisation's commitment to equal treatment of all of its clients and tenants and to accommodating their diverse needs. It is a challenge to the institution and the individual, and is usually an uncomfortable one. Most people do not regard themselves as racist. However, many of us demonstrate traits of intolerance which tend to come to the fore when we meet people of colour or of cultural backgrounds different from our own. This may be as a result of fear or lack of understanding, but it may also be related to feelings and beliefs of dominance and superiority. When these feelings and beliefs permeate the culture of an institution they will lead to poor, discriminatory services, based on policies and procedures that are indifferent to the needs of the non-white, non-Irish minority.

This Section opens with an examination of the meaning of racism and of how racism impacts on the lives of refugees and members of minority ethnic groups living in Ireland. This is followed by an exploration of how racism can be manifested in organisational policies and practices that were designed for a white Irish society and of what local authorities can do to combat this type of racism. The obligations of housing providers to prevent racist harassment and not to discriminate in the provision of housing services are then examined as are the responses and supports appropriate for tenants who have been subject to racist discrimination and harassment.

Of course, policies, practices and procedures to combat racism and ensure equal treatment of refugees and people from different minority ethnic groups are only as good as the outcomes that they achieve. On this basis the final part of the Section examines how the housing practitioners can measure the success of measures taken to ensure equality of treatment of clients and tenants of all races, by means of ethnic record keeping and ethnic monitoring.

RACISM AND ETHNIC MONITORING

4.1 THE MEANING, REALITY AND IMPACT OF RACISM

The majority of Irish people would find it difficult to comprehend the all-embracing pervasiveness of racism in Irish society. Racism runs through all strands of our interactions, our agencies, and our services. Often racism is blatant and obvious, intended to cause hurt and fear, but just as often it is subtle and even unintentional in its manifestation.

Refugee groups report that refugees living in this country, and especially but not exclusively, black refugees face verbal abuse everyday as they walk to and from their homes, as they go shopping, as they socialise, as they seek services. As a matter of routine, they face verbal abuse in all facets of their lives. For some it becomes worse because they are subject to threats, damage to property, physical assault, and in some cases even death.

As the testimonies from Somalian and Cameroonian tenants which are included on page 55 demonstrate, the impact of racism and racist hostility on individuals and families is immense. It can be devastating for families, ruining relationships and lives. For those who are the objects of racist abuse and actions it affects their confidence, they lose trust in people, they become fearful, it restricts their movement, they become more isolated, and it can lead to mental health problems. It also has consequences for the wider society, increasing levels of fear, hostility, and making it a less safe place for many of its people.

Being subject to acts of racism in and around one's home can have a profound effect on so many aspects of a victim's life. This may include the following:

- ◆ victims may be afraid to allow their children play beyond the house and garden
- ◆ victims may become house-bound, afraid to go out during the day or night
- ◆ personal relationships within a family may deteriorate due to stress
- ◆ physical and mental health problems may develop
- ◆ victims may have to plan when to go out or stay in, depending on when the perpetrator is known to be about
- ◆ family outings and other aspects of family life may be affected as victims may be afraid to leave their home unoccupied for fear of attack
- ◆ trust in neighbours, friends and others with whom the victim has occasional contact may be damaged
- ◆ the family may become isolated, as friends might not call for fear of also being targeted
- ◆ victims may become angry with everyone in society
- ◆ victims may take the law into their own hands.

Fredrickson (2002, p. 9) argues that racism '... originates from a mindset that regards "them" as different from "us".... This sense of difference provides a motive or rationale for using our power advantage to treat' members of other racial groups in ways '... that we would regard as cruel or unjust if applied to members of our own group.'

There are two elements to our understanding of racism that are relevant to refugees and housing, namely individual racism and institutional racism. According to Dominelli (1997, p. 7): 'Individual racism is made up of those attitudes and behaviours depicting a negative prejudgement of racial groups, and expressed through verbal or physical actions by individuals acting alone or with others.' This is racial prejudice, the actions of the individual against the person who is different on the basis of his or her racial or ethnic origin. The case histories of refugee tenants who have been victims of racism included on the following page are examples of individual racism.

Case Histories of Refugee Tenants who have been Victims of Racism

◆ I don't let my kids outside all the time anymore. After 8 pm I ask them to come in, and even when they are outside, I go out to watch where they are. They get called 'nigger' or 'blacks' and it hurts them. At least adults, we can understand why people may say such things, and about lack of education. One day my son was crying because another child hit him with a hurling baton. And my wife went to talk to the parent and she was called 'Nigger', and she was about to lose her temper but then she left. She does not mix very much anymore with people there. She stays indoors mostly and of course that is very frustrating. She is alone a lot during the day.

Somalian tenant

◆ I used to feel safe but now I feel nervous. Last Saturday at 4 am in the morning a woman banged at our front door for 20 minutes. (Husband) asked, 'Who are you? What do you want?' She said, 'Open the door. I want to speak to you.' (Husband) said, 'I don't know you. It's 4 o'clock in the morning. I'm going to call the police.' She kept banging at the door but when she heard us calling the police she crossed the road and went into house number 26. She closed the door and put the light on in the bedroom. The police came. They said, 'Don't worry, she might have been drunk,' and they told us to go back to sleep. They didn't go over to her house. So now I am very worried. I don't know what she wanted or if she will come again. She was carrying a bag and it might have had a weapon in it. The police did nothing. If she were a black woman and we were a white family and she did that to us they would have talked to her and blamed her. I think that this woman is racist because she didn't bang on the door of the white families on the street. She didn't bang on her next-door neighbour's door. She walked all the way across the road to us, a black family.

Only once (husband) met some boys coming home from college and they told him, 'Go back to Africa.' But I can't count the number of times people who say things to me, old women as well as young people. It is maybe because my clothes look different as well. When I was walking a man in a car slowed down and followed me and then he shouted, 'Fucking black monkey – go back to Africa.' I saw him again when I was walking with a friend. He walked close to us on the pavement and he pushed past my arm and he said the same thing to me as before. I was angry and I told him, 'You can't say that to me. Your people are everywhere. You can say that only when they all come home to Ireland.' And then he made the rude sign to me with his fingers.

It is old people who say things to us. It is difficult for Africans because we are brought up to respect old people and never to disagree with them. When I was shopping in the city centre I was in a queue to pay and (son) was playing with the old woman in front of me. She turned with a bad look on her face and she said something. I don't know what she said but her voice sounded bad and then she moved to last place. It was a long queue and she moved to the last place in the queue. I nearly cried. They even hate babies in this place. I was embarrassed in front of everyone. And then the woman at the counter said to me, 'Don't mind her.'

I feel bad. I'm very unhappy. It's all stuck here in my heart because there's no place to complain.

Cameroonian tenant

(Source: *Focus Ireland and Clann Housing Association, 2003, pp 15-17*)

As mentioned in the introduction to this Section, when the racist attitudes of individuals, or their indifference towards the needs of minority ethnic groups permeate the culture of an organisation, this can result in institutional racism. The Lawrence Inquiry (Macpherson, 1999, para. 6.34) into institutional racism in the UK Metropolitan Police force, defines institutional racism as:

The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantage minority ethnic people.

In order to effectively respond to racism, therefore, local authorities should devise strategies to address individual racism by members of staff and tenants and also ensure that institutional racism – in policy statements or strategies and administrative procedures – is identified and removed.

4.2

RESPONDING TO RACISM

Ensuring that housing is provided for those who cannot provide it from their own resources has been the key objective of the local authority housing service since its foundation. However, the requirement to ensure that no one is discriminated against in accessing housing was only recently introduced by the Equal Status Act, 2000.

As mentioned in the introduction to these guidelines, the Act prohibits discrimination in the provision of housing services on the ground of race. This legislation applies equally to public and private landlords, who cannot discriminate in the allocation of accommodation, the termination of tenancies or any other matter to do with accommodation on the ground of race. Further details of the provisions of the Equal Status Act, 2000 can be found in the appendix to these guidelines.

Implementing many of the recommendations for improving practice in the planning and provision of housing for refugees set out in earlier Sections of these guidelines will help to combat any institutional racism and ensure that local authorities meet their obligations under the Equal Status Act. These recommendations encompass areas such as: the inclusion of statements committing local authorities to equal treatment of

refugees and minority ethnic groups, the development of equal opportunities strategies which address this issue, the provision of relevant training for local authority elected members, senior management and elected members on issues related to housing refugees and ethnic minority groups and the provision of services to meet the distinct needs of refugee and minority ethnic tenants and applicants for housing.

However, in addition, Focus Ireland and Clann Housing Association (2002) point out that local authorities need to review all existing policy statements and administrative procedures to ensure that they do not discriminate, intentionally or unintentionally, against any clients of the housing service and if necessary devise and implement adequate and appropriate anti-racist policies and procedures. This will ensure that policies and procedures are equality proofed. They also identify the key issues on which an equality proofing review of this type should focus. Their suggestions in this regard are incorporated into the good practice recommendations set out below.

Good Practice Recommendation No 26:

Responding to Racism – Policy Issues

- ◆ Local authorities should review all written policy statements on housing to ensure that they do not effect direct or indirect discrimination against refugee and minority ethnic tenants and clients of the housing service.
- ◆ Where necessary policy statements should be amended to include a statement of the authority's commitment to equality in all aspects of the provision of housing services, including equality on grounds of race.

Good Practice Recommendation No 27:

Responding to Racism – Procedural Issues

- ◆ As part of the equality proofing process, local authorities should review all administrative procedures in the housing service on a regular basis, to ensure that they not effect direct or indirect discrimination against minority ethnic tenants and other clients of the housing service.
- ◆ Where necessary existing procedures should be reformed to ensure they are non-discriminatory and new equality procedures introduced if appropriate.

- ◆ This review should focus in particular on procedures for allocating local authority dwellings and a non-discriminatory allocations procedure should be devised and implemented.
- ◆ Some housing services such as maintenance and repair of dwellings may not be carried out directly by local authorities – in such cases housing practitioners should devise an equality code of conduct for contractors to adhere to. This code should make specific reference to equality on the grounds of race.
- ◆ Some housing services involve an element of discretion on the part of the staff responsible for implementing them. This discretion should be operated within a procedural framework which is non-discriminatory. In addition, appropriate training should be provided for relevant members of staff to ensure that they are aware of their obligation not to discriminate on the grounds of race.

Good Practice Recommendation No 28:

Responding to Racism – Training for Elected Members and Staff

- ◆ Local authorities should ensure that elected members and management staff have the knowledge and skills to effectively review housing policies and procedures to ensure that they are non-discriminatory, by providing appropriate training. Recommendations regarding the content of training of this type can be found in Section Two of these guidelines.
- ◆ Local authorities should ensure that frontline staff are fully informed of any reforms to policies and procedures and have the knowledge and skills necessary to implement them. Training may be necessary to achieve this.

Good Practice Recommendation No 29:

Responding to Racism – Customer Care

- ◆ Local authorities should ensure that their customer care procedures enable tenants and other clients of the housing service to make a complaint about racist discrimination caused by the policies or procedures of the housing department or by racist behaviour on the part of members of staff or contractors.
- ◆ Local authorities should also ensure that they consult with minority ethnic tenants and clients of the housing service, including refugees, regarding the

review and reform of policies and procedures to ensure that they do not discriminate on the grounds of race, under the terms of the Equal Status Act, 2000 and on the design and implementation of anti-racist policies and procedures.

Good Practice Recommendation No 30:

Responding to Racism – Personnel Management

- ◆ Local authorities should devise written procedures for dealing with racist discrimination and harassment committed by local authority staff and against local authority staff.

4.3 DEALING WITH RACIST HARASSMENT

Larkin (2002) points out that in addition to obliging local authorities not to discriminate on racial grounds in the provision of housing services, Section 11(2) of the Equal Status Act, 2000 also requires them to take steps to prevent discriminatory acts or harassment by their tenants or their employees. In order to meet their obligations under this legislation, local authorities should devise written procedures to prevent harassment and ensure that these are implemented effectively.

Research by Blackaby and Chahal (2000) in the United Kingdom found that victims rarely report racist harassment after the first or second incident – they usually wait until a number of incidents have occurred. They also conclude that when victims do report the harassment the response of the local authority is critical. The researchers suggest that this response should be victim-centred, which means that the needs of the victim should be the key consideration in all subsequent action taken.

The starting point of a victim-centred approach to dealing with racist harassment is that all allegations of this behaviour should be treated seriously. The report of the Lawrence inquiry in the UK recommends that in practice, this means that any incident perceived to be racist by a victim or any other person such as a neighbour, a local authority officer, a Garda, should be investigated by local authority staff and appropriate action taken to combat it (Macpherson, 1999). In addition, victims should be central to all action that follows the reporting of a racist incident. They should be asked for their views on the action required to deal with the harassment and kept informed of all

action undertaken by the local authority. They should also be referred to appropriate agencies who will provide them with the support necessary to recover from the harassment.

Blackaby and Chahal (2000) advise that quick action should be taken to stop the harassment so that the victim and all potential victims are reassured and that strategies should be developed to prevent racist harassment. Many of their suggestions in this regard are incorporated in the following recommendations for dealing with racist harassment.

Good Practice Recommendation No 31:

Devising a Strategy on Racist Harassment

- ◆ Local authorities should devise a written strategy for dealing with harassment, including racist harassment, of their staff, of their tenants and of other clients of the housing service.
- ◆ This strategy should include the following elements:
 - a statement that no type of harassment, including racist harassment, will be tolerated
 - a commitment that all allegations of racist harassment will be taken seriously
 - an explanation that this includes racist harassment perpetrated by staff on other staff members, by staff on tenants, by tenants on staff and by tenants on other tenants
 - a commitment that all allegations of racist harassment will be investigated thoroughly
 - a commitment that the organisation will take swift and effective action against perpetrators of racist incidents to protect the victim, stop the harassment and in so far as possible prevent further incidents
 - details of the strategies that will be used to prevent racist harassment on estates
 - a strategy to monitor the number of incidents of racist harassment and to take follow-up action if necessary.

Good Practice Recommendation No. 32:

Preventing Racist Harassment

- ◆ The most effective way of combating racist harassment is to prevent it from arising in the first place. In order to achieve this, local authorities should employ the following measures:
 - A clause explicitly prohibiting harassment, including racist harassment, of staff and tenants should be included in tenancy agreements
 - All tenants should be informed of this clause and of the implications of breaching it. They should also be informed of any other local authority policies and strategies on racist harassment
 - Tenants should be assured that the local authority will treat all allegations of racist harassment of staff and tenants seriously and adopt a victim-centred response. Details of what a victim-centred response involves should also be clearly explained to them. This can be done at pre-tenancy induction meetings or by means of other information supplied by the local authority to tenants such as tenants handbooks.

Best Practice Suggestion No. 9:
 Preventing Racist Harassment

- ◆ Where levels of racist harassment on estates is particularly high, the local authority may wish to consider developing partnerships with other relevant organisations such as the Gardaí, the health board and local refugee representative groups so as to share information on this problem and develop a joint response to racist harassment.
- ◆ In addition the local authority may wish to consider establishing a joint forum of refugee tenants and other tenants. This forum could devise initiatives to promote understanding and respect of difference among all tenants.

Good Practice Recommendation No 33:**Receiving Complaints regarding Racist Harassment**

- ◆ Local authorities should adopt a victim-centred response to allegations of racist harassment.
- ◆ In practice this involves the following:
 - Local authorities should ensure that tenants are facilitated to make complaints about harassment of any type, including racist harassment, if they need to do so. A number of mechanisms for making complaints should be provided including: by telephone, in local estate offices and at the local authority head offices
 - Staff dealing with tenants who make complaints of racist harassment should be sympathetic and sensitive
 - Racist harassment is a particularly sensitive issue, therefore if possible the children of complainants should not be used to interpret allegations in this regard
 - Staff should listen carefully to the complainant and collect as many details of the alleged incident(s) as possible. This should be done in a way that is sensitive to the complainant
 - Complainants should be assured that their complaint will be taken seriously by the local authority and that the authority will investigate it and respond as quickly as possible
 - Complainants should be reassured that all information supplied to the local authority will be treated in the strictest confidence. Section 26 of the Freedom of Information Act, 1997 allows public bodies to refuse to disclose information given to them in confidence
 - The complainant's views on the most appropriate response to the incident should be sought and recorded, and the complainant should be assured that he or she will be kept informed of all action taken by the local authority with regard to the complaint
 - If necessary the complainant should be referred for additional support to the local authority social work or housing welfare department or to other appropriate agencies such as the local health board, refugee support organisation or victim support.

4.4 GETTING TENANT PARTICIPATION SCHEMES ESTABLISHED

Good Practice Recommendation No 34:

Investigating Allegations of Racist Harassment

- ◆ Allegations of racist harassment should be investigated as quickly as possible.
- ◆ If the allegations are substantiated by the investigation, complainants should be consulted regarding the authority's plans for responding to the racist harassment, the implications of these proposed actions should be clearly explained to them and their agreement sought before any action is undertaken.
- ◆ They should be informed of the estimated timeframe for the implementation of these actions and they should be notified if the local authority's plans for dealing with the racist harassment or the timeframe for their implementation change for any reason.
- ◆ They should also be reassured that any necessary support will be provided to them until the problem is resolved and they should be provided with the contact details of a local authority official with whom they can liaise during this period.

Good Practice Recommendation No 35:

Appropriate Responses to Racist Harassment

- ◆ Once allegations of racist harassment have been substantiated by an investigation local authorities should take action to combat this behaviour as quickly as possible.
- ◆ The response to incidents of racist harassment should be proportionate to the nature and extent of the activity and the length of time it has been ongoing. The characteristics of the perpetrator is also a relevant consideration – whether he or she is a child or an adult, and whether more than one person is involved.
- ◆ In some cases meeting with the perpetrator and warning him or her that if such harassment continues it will result in legal action or a referral to appropriate agencies such as the juvenile liaison officer, may be adequate to resolve the problem.
- ◆ In some cases it may be necessary to transfer the perpetrator or victim to an alternative dwelling in order to end the harassment. However, the option of transferring the victim should be used only as a last resort as it conveys the

impression that the victim, rather than the perpetrator, is being punished. In decisions of this type the wishes of the victim of the harassment should be the overriding consideration.

- ◆ With the agreement of the victim, the Gardaí should be informed of all cases of racist harassment. When the harassment involves criminal behaviour such as treats of violence, assault, damage to property or arson, the local authority should request the Gardaí to take appropriate action.
- ◆ In cases of very serious or sustained racist harassment, where all other efforts to combat the behaviour have failed or been deemed inappropriate, local authorities should consider the option of terminating the tenancy of perpetrators or excluding them from their dwelling. The Housing (Miscellaneous Provisions) Act, 1997 provides for the termination of local authority tenancies and the exclusion of specified individuals from local authority dwellings and estates in cases of anti-social behaviour. Under the terms of the Act anti-social behaviour includes:

... any behaviour which causes or is likely to cause any significant or persistent danger, injury, damage, loss or fear to any person living, working or otherwise lawfully in or in the vicinity of a house provided by a housing authority, or a housing estate in which the house is situated and includes violence, threats, intimidation, coercion, harassment or serious obstruction of any person.

Further details of this Act can be found in the appendix to these guidelines.

- ◆ When the option of eviction or exclusion of tenants is used every effort should be made to protect the welfare of vulnerable members of the household concerned. The local health board and appropriate voluntary agencies should be informed of all forthcoming evictions or exclusions for anti-social behaviour.

Good Practice Recommendation No 36:

Recording and Monitoring Racist Harassment

- ◆ Local authorities should have a computerised system for recording the number of complaints regarding harassment, including racist harassment, on its estates, the type of behaviour involved and all details of responses.

- ◆ This information should be used to inform regular reviews of policies and procedures on racist incidents to ensure that good practice is maintained.
- ◆ Officials responsible for dealing with cases of racist harassment should be adequately trained and resourced to carry out this job effectively and should have a clear reporting relationship to a senior member of staff of the housing department and be adequately supervised by him or her.
- ◆ The members of the local authority's Strategic Policy Committee with responsibility for housing should be informed on a regular basis of the incidence of racist harassment on estates.

4.5 MONITORING AND EVALUATION

The introduction to this Section made the point that policies, strategies and procedures are only as effective as the outcomes that they achieve. This implies in turn that monitoring outcomes is the most effective way of assessing the effectiveness of any policy, strategy or procedure.

Focus Ireland and Clann Housing Association (2002) suggest that in order to assess the effectiveness of housing services for refugees and other minority ethnic groups, local authorities should collate and monitor data on the ethnic and racial background of tenants and applicants for housing on a regular basis. In addition, policies and strategies that relate to refugees and minority ethnic groups, e.g. equal opportunities policies or racial harassment strategies, should be evaluated in more depth when an appropriate period of time has passed after their introduction.

Good Practice Recommendation No 37:

Ethnic Record Keeping

- ◆ The most reliable and efficient means of monitoring the effectiveness of an equal opportunities policy in housing is to carry out regular analyses of the housing waiting list, the housing allocations list and data on access to other housing services by ethnic origin. This will provide a clear and accurate picture of whether refugees and other members of minority ethnic groups are actually receiving equal access to the housing service and an equal share of available resources.

- ◆ To do this the local authority should collate the following data:
 - the size of the refugee and other minority ethnic communities living in the local authority’s administrative area
 - the racial and ethnic background of all applicants for housing
 - the racial and ethnic background of people who were allocated dwellings by length of time on the waiting list
 - the racial and ethnic background of tenants by location and by type of dwelling.
- ◆ In areas where voluntary housing associations and housing co-operatives are significant providers of social housing they should also be involved in the collation of these data. This will ensure that the available information paints a comprehensive picture of the housing situation of refugees and other minority ethnic groups.
- ◆ The reason why this information is required should be explained to staff, tenants and other clients of the local authority housing service.

Good Practice Recommendation No 38:**Ethnic Monitoring**

- ◆ The Commission for Racial Equality in the United Kingdom recommends that these records should be used to monitor ethnic trends in access to the housing service and in the quality of service received. In order to do this, housing practitioners should try to answer the following questions:
 - Is the number of persons from different minority ethnic groups who have applied for local authority housing proportionate to the numbers living in the local authority’s operational area?
 - Is the number of persons from different minority ethnic groups who have been allocated local authority dwellings proportionate to the number on the housing list?
 - Does the time spent waiting to be allocated a dwelling vary by ethnic background?
 - Does the location in which tenants live vary by ethnic background?
 - Are certain ethnic groups concentrated in difficult-to-let estates?
 - Are certain ethnic groups concentrated in dwellings of poor quality or unpopular design?

- ◆ The Commission for Racial Equality also suggests that local authorities should assess ethnic trends in satisfaction with different aspects of housing service delivery such as the information supplied by the local authority to tenants, the quality of the maintenance service etc. In order to do this, housing practitioners should utilise the procedures for consultation with refugee tenants and applicants for housing which are set out in Section Two of these guidelines.

Best Practice Suggestion No. 10:
Evaluation of Refugee
Housing Policies, Strategies
and Procedures

- ◆ In order to achieve best practice in housing refugees, local authorities may wish to consider formally evaluating their refugee housing policies, strategies and procedures when an appropriate period of time has passed after their introduction.
- ◆ This will be easier to do if these policies, strategies and procedures specify the targets they are intended to achieve, and include a timeframe for implementation.
- ◆ Local authority staff may have the appropriate skills to carry out this evaluation of services. However, engaging an independent agency or individual to carry out this research will help to ensure that the evaluation provides an impartial assessment of the quality of the service.

APPENDIX

This section summarises the main provisions of the legislation relevant to housing refugees. It also lists some further readings and contact details of organisations, which can provide useful advice to local authorities on this area of work.

5.1 REFUGEE HOUSING LEGISLATION AND MEMORANDA

LEGISLATION, PUBLICATIONS AND USEFUL ADDRESSES

Refugee Act, 1996, as amended

The entitlement to housing of refugees and programme refugees is outlined in the Refugee Act, 1996 as amended by the Immigration Act, 1999.

The 1996 Act defines refugees as persons recognised as refugees under the Geneva Convention 1951 relating to the Status of Refugees and described in Section 2 of the Refugee Act, 1996, as amended.

Section 3 (1) of this Act states that:

... a refugee in relation to whom a declaration is in force shall be entitled to the same rights and privileges as those conferred by law on the persons generally who are not Irish citizens (as distinct from such rights or privileges conferred on any particular person or group of persons).

Section 3(2)(i)(a) of the 1996 Act states that

Without prejudice to the generality of subsection (1), a refugee in relation to whom a declaration is in force –
(ii) shall be entitled to receive, upon and subject to the terms and conditions applicable to Irish citizens, the same medical care and services and the same social welfare benefits as those to which Irish citizens are entitled.

This subsection is further expanded upon in Section (3)(b):

... 'social welfare benefits' includes any payment of services provided for in or under the Social Welfare Acts, the Health Acts, 1947 to 1994, and the Housing Acts, 1966 to 1992.

Section 24 of the Refugee Act, 1996 as amended, refers to programme refugees and their entitlements, which are as follows under subsection (2):

A programme refugee shall, during such period as he or she is entitled to remain by the State pursuant to leave given by the Government, be entitled to the rights and privileges specified in section 3.

Housing (Miscellaneous Provisions) Act, 1997

This Act provides for several measures that can be utilised by local authorities to address anti-social behaviour on estates.

The Act defines anti-social behaviour as either or both of the following: (a) the manufacture, production, preparation, importation, exportation, sale, supply, possession for the purposes of sale or supply, or distribution of a controlled drug (within the meaning of the Misuse of Drugs Acts, 1977 and 1984), (b) any behaviour which causes or is likely to cause any significant or persistent danger, injury, damage, loss or fear to any person living, working or otherwise lawfully in or in the vicinity of a house provided by a housing authority, or a housing estate in which the house is situated and includes violence, threats, intimidation, coercion, harassment or serious obstruction of any person.

Section 3 of the 1997 Act enables local authority tenants to apply to the district court for an excluding order against any other occupant of their dwelling, where the tenant believes that the other occupant is engaging in anti-social behaviour. Local authorities can also apply for similar excluding orders in specific circumstances.

Section 21 provides for the repossession of a local authority dwelling on the basis of a statement by a Garda or an official of the local authority or health board that the occupant is engaging in anti-social behaviour.

Equal Status Act, 2000 and the Employment Equality Act, 1998

The Equal Status Act, 2000 and the Employment Equality Act, 1998 are the two principal pieces of legislation on equality in Ireland. From the perspective of the local authority housing service the Equal Status Act is of special importance.

Section 3 of the Equal Status Act states that discrimination occurs when a person is treated less favourably than another person is. Discrimination is prohibited on nine grounds, one of which is race. There are three types of discrimination: direct, indirect and discrimination by association:

- ◆ Direct discrimination occurs when a person is treated less favourably than another person on one of the nine grounds.
- ◆ Indirect discrimination occurs when a seemingly neutral condition has a greater impact on people from one of the nine groups.
- ◆ Discrimination by association occurs where a person associated with another person (or persons) belongs to one of the nine groups and is treated less favourably because of the association.

Discrimination in housing, which applies to public and private landlords, is not allowed under the legislation. Section 6(1)(c) of the Equal Status Act, 2000 states:

A person shall not discriminate in providing accommodation or any services or amenities related to accommodation or any such services or amenities.

Not alone do local authorities have an obligation under the legislation not to discriminate in the provision of accommodation, it also has an obligation under Section 11(2) of the Equal Status Act to protect its tenants and their families from harassment:

A person who is responsible for the operation of any place that is an educational establishment or at which goods, services or accommodation facilities are offered to the public shall not permit another person who has a right to be present in or avail himself or herself of any facilities, goods or services at that place, to suffer sexual harassment or harassment at that place.

The Equal Status Act allows (but does not require) preferential treatment or the taking of positive measures, which are *bona fide* intended to:

- promote equality of opportunity for disadvantaged persons
- cater for the special needs of persons, or a category of persons who, because of their circumstance, may require particular facilities, arrangements, services or assistance.

More specifically, Section 6(6) of the legislation does not prohibit local authorities or approved bodies

from providing, in relation to housing accommodation, different treatment to persons based on family size, family status, marital status, disability, age or membership of the Traveller Community.

Department of the Environment and Local Government: Circulars, Memoranda and Guidelines

The entitlement to social housing for those given permission to remain in the state is not laid down in legislation, but is outlined in the Department of the Environment and Local Government Circular N3/00. The circular states: 'Local authorities are advised that they should now accept and consider applications for local authority housing from persons who have been given permission to remain in the state.'

5.2 FURTHER READING

The following are books and articles from which information and ideas have been taken and used in the guidelines and may also be useful to readers who require more information on the issue of refugee housing.

Blackaby, B. and Chahal, K. (2000)

Black and Minority Housing Strategies:

A Good Practice Guide

Coventry, Chartered Institute of Housing/ Federation of Black Housing Organisations/
The Housing Corporation

Bradley, S. and Humphries, N. (1999)

From Bosnia to Ireland's Private Rented Sector:

A study of Bosnian housing needs in Ireland

Dublin, Clann Housing Association

Department of the Environment (1989)

Tackling Racial Violence and Harassment in Local Authority Housing:

A Guide to Good Practice for Local Authorities

London, HMSO.

Dominelli, L. (1997)

Anti-Racist Social Work, Second Edition

Basingstoke, BASW/Macmillan Press

Finlay, R. and Reynolds, J. (1987)

Social Work and Refugees:

A handbook on working with people in exile in the UK

Cambridge, National Extension College/ Refugee Action

Focus Ireland and Clann Housing Association (2002)

Housing and Race in Ireland:

A joint submission under the National Plan Against Racism

Dublin, Focus Ireland/ Clann Housing Association

Fredrickson, G.M. (2002)

Racism: A Short History

Princeton and Oxford, Princeton University Press

Larkin, S. (2002)

'Equality, Legislation and Housing' in *Housing and Refugees: A New Challenge*
Dublin, Clann Housing Association

Macpherson, W. (1999)

*The Stephen Lawrence Inquiry:
Report of an Inquiry by Sir William Macpherson of Cluny*
London, HMSO

O'Regan, C. (1997)

A report of a survey of the Bosnian and refugee communities in Ireland
Dublin, Refugee Agency

Penoyre and Prasad Architects (1993)

*Accommodating Diversity:
The design of housing for minority ethnic, religious and cultural groups*
London, Penoyre & Prasad Architects/ National Federation of Housing Associations/
North Housing

Rojas, M. (1997)

*The Fight Against Social Exclusion in the European Union:
The Integra strand of the Employment Initiative – An exploratory evaluation of
principles and practices*
Lund, Sweden, University of Lund

5.3 USEFUL ADDRESSES

DEPARTMENT OF THE ENVIRONMENT AND LOCAL GOVERNMENT

Custom House, Dublin 1
Tel: 01-8882000
Fax: 01 8882888
Website: www.environ.ie

CLANN HOUSING ASSOCIATION

Floor 3, 18 Dame Street, Dublin 2
Tel: 01-6775010
Fax: 01-6725040
Website: www.clann.ie

THE EQUALITY AUTHORITY

Clonmel Street, Dublin 2
Tel: 01-4173333
Fax: 01 4173366
Tel: Lo Call 1890 245545
Website: www.equality.ie

IRISH REFUGEE COUNCIL

40 Lower Dominick Street, Dublin 1
Tel: 01-8370042
Fax: 01-8370088
Website: www.irishrefugeecouncil.ie

NATIONAL CONSULTATIVE COMMITTEE ON RACISM AND INTERCULTURALISM

26 Harcourt Street, Dublin 2
Tel: 01-4785777
Fax: 01-4785778
Website: www.nccri.com

RECEPTION AND INTEGRATION AGENCY

2nd Floor, 94 St Stephen's Green, Dublin 2
Tel: 01-4183200
Fax: 01-4183271

THE COMMISSION FOR RACIAL EQUALITY IN THE UNITED KINGDOM

St Dunstan's House, 201-211 Borough High Street
London SE1 1GZ, United Kingdom.
Tel: 0044-20-7939 0000
Fax: 0044-020-7939 0001
Website: www.cre.gov.uk/gdpract/housing

The Housing Unit was created in response to one of the recommendations of the Housing Management Group – an initiative undertaken by the Minister for Housing and Urban Renewal. The overall purpose of the Unit is to facilitate the improved management of the public and social housing sector. The Unit is funded by the Local Authorities and the Department of the Environment and Local Government.

Produced in conjunction with



The Department of the Environment and Local Government
and
The City and County Managers Association

THE
HOUSING UNIT

The Housing Unit
An tAonad Tithíochta
57-61 Lansdowne Road
Dublin 4
Ireland
Telephone: 01 668 6233
Fax: 01 668 9135
E-mail: HousingUnit@ipa.ie

ISBN 1 903848 00 8

€12.70